

Message

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**From:** Sapperstein, Kristin (Kennedy) [Kristin\_Sapperstein@kennedy.senate.gov]  
**Sent:** 2/12/2019 3:17:14 PM  
**To:** Quercia, Danielle (Toomey) [Danielle\_Quercia@toomey.senate.gov]  
**CC:** OGrady, Mimi (Cruz) [mimi\_ogradycruz.senate.gov]; Cannon, Kate (Lee) [Kate\_Cannon@lee.senate.gov]; Aguillard, Zoe (Cassidy) [Zoe\_Aguillard@cassidy.senate.gov]; Price, Wendi (Inhofe) [Wendi\_Price@inhofe.senate.gov]; Humphreys, Hayly [humphreys.hayly@epa.gov]; Lyons, Troy [lyons.troy@epa.gov]; Holland, Luke (Inhofe) [Luke\_Holland@inhofe.senate.gov]; Wright, Jennie (Inhofe) [Jennie\_Wright@inhofe.senate.gov]; Forbes, Andrew (Inhofe) [Andrew\_Forbes@inhofe.senate.gov]; Eby, Natasha [eby.natasha@epa.gov]; Davis, Martha (Cruz) [Martha\_Davis@cruz.senate.gov]; Chartan, Steve (Cruz) [Steve\_Chartan@cruz.senate.gov]; Shah, Prerak (Cruz) [Prerak\_Shah@cruz.senate.gov]; Herod, Amy (Cruz) [Amy\_Herod@cruz.senate.gov]; Starlight, Caroline (Kennedy) [Caroline\_Starlight@kennedy.senate.gov]  
**Subject:** Re: Senators Meeting with Acting Administrator Wheeler

Senator Kennedy will be attending!

Kristin Sapperstein  
Scheduler, Senator Kennedy

Sent from my iPhone

On Feb 12, 2019, at 10:11 AM, Quercia, Danielle (Toomey) <[Danielle\\_Quercia@toomey.senate.gov](mailto:Danielle_Quercia@toomey.senate.gov)> wrote:

Senator Toomey will attend, thanks!

---

**From:** OGrady, Mimi (Cruz) <[mimi\\_ogradycruz.senate.gov](mailto:mimi_ogradycruz.senate.gov)>  
**Sent:** Tuesday, February 12, 2019 9:40 AM  
**To:** Quercia, Danielle (Toomey) <[Danielle\\_Quercia@toomey.senate.gov](mailto:Danielle_Quercia@toomey.senate.gov)>; Cannon, Kate (Lee) <[Kate\\_Cannon@lee.senate.gov](mailto:Kate_Cannon@lee.senate.gov)>; Sapperstein, Kristin (Kennedy) <[Kristin\\_Sapperstein@kennedy.senate.gov](mailto:Kristin_Sapperstein@kennedy.senate.gov)>; Aguillard, Zoe (Cassidy) <[Zoe\\_Aguillard@cassidy.senate.gov](mailto:Zoe_Aguillard@cassidy.senate.gov)>  
**Cc:** Price, Wendi (Inhofe) <[Wendi\\_Price@inhofe.senate.gov](mailto:Wendi_Price@inhofe.senate.gov)>; Humphreys, Hayly <[humphreys.hayly@epa.gov](mailto:humphreys.hayly@epa.gov)>; Lyons, Troy <[lyons.troy@epa.gov](mailto:lyons.troy@epa.gov)>; Holland, Luke (Inhofe) <[Luke\\_Holland@inhofe.senate.gov](mailto:Luke_Holland@inhofe.senate.gov)>; Wright, Jennie (Inhofe) <[Jennie\\_Wright@inhofe.senate.gov](mailto:Jennie_Wright@inhofe.senate.gov)>; Forbes, Andrew (Inhofe) <[Andrew\\_Forbes@inhofe.senate.gov](mailto:Andrew_Forbes@inhofe.senate.gov)>; Eby, Natasha <[eby.natasha@epa.gov](mailto:eby.natasha@epa.gov)>; Davis, Martha (Cruz) <[Martha\\_Davis@cruz.senate.gov](mailto:Martha_Davis@cruz.senate.gov)>; Chartan, Steve (Cruz) <[Steve\\_Chartan@cruz.senate.gov](mailto:Steve_Chartan@cruz.senate.gov)>; Shah, Prerak (Cruz) <[Prerak\\_Shah@cruz.senate.gov](mailto:Prerak_Shah@cruz.senate.gov)>; Herod, Amy (Cruz) <[Amy\\_Herod@cruz.senate.gov](mailto:Amy_Herod@cruz.senate.gov)>  
**Subject:** Senators Meeting with Acting Administrator Wheeler

Good morning,

Senators Inhofe and Cruz have been working on scheduling a meeting with EPA Acting Administrator Andrew Wheeler this week to discuss his nomination and would welcome your boss to join the conversation. They will be meeting tomorrow evening at 6:00 in Senator Inhofe's office, Russell 205. Please let me know if your boss is able to attend or if you need any other information.

Best,

**Mimi O'Grady**  
Deputy Director of Scheduling  
Office of Senator Ted Cruz | R-TX

404 Russell Senate Office Building  
(202)224-5922  
[Mimi\\_O'Grady@cruz.senate.gov](mailto:Mimi_O'Grady@cruz.senate.gov)

Message

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**From:** Cannon, Kate (Lee) [Kate\_Cannon@lee.senate.gov]  
**Sent:** 2/12/2019 4:38:36 PM  
**To:** OGrady, Mimi (Cruz) [mimi\_ogrady@cruz.senate.gov]; Quercia, Danielle (Toomey) [Danielle\_Quercia@toomey.senate.gov]; Sapperstein, Kristin (Kennedy) [Kristin\_Sapperstein@kennedy.senate.gov]; Aguillard, Zoe (Cassidy) [Zoe\_Aguillard@cassidy.senate.gov]  
**CC:** Price, Wendi (Inhofe) [Wendi\_Price@inhofe.senate.gov]; Humphreys, Hayly [humphreys.hayly@epa.gov]; Lyons, Troy [lyons.troy@epa.gov]; Holland, Luke (Inhofe) [Luke\_Holland@inhofe.senate.gov]; Wright, Jennie (Inhofe) [Jennie\_Wright@inhofe.senate.gov]; Forbes, Andrew (Inhofe) [Andrew\_Forbes@inhofe.senate.gov]; Eby, Natasha [eby.natasha@epa.gov]; Davis, Martha (Cruz) [Martha\_Davis@cruz.senate.gov]; Chartan, Steve (Cruz) [Steve\_Chartan@cruz.senate.gov]; Shah, Prerak (Cruz) [Prerak\_Shah@cruz.senate.gov]; Herod, Amy (Cruz) [Amy\_Herod@cruz.senate.gov]  
**Subject:** Re: Senators Meeting with Acting Administrator Wheeler

Senator Lee will be there.

Thanks for organizing Mimi and Wendi!

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**From:** "OGrady, Mimi (Cruz)" <mimi\_ogrady@cruz.senate.gov>  
**Date:** Tuesday, February 12, 2019 at 9:40 AM  
**To:** "Quercia, Danielle (Toomey)" <Danielle\_Quercia@toomey.senate.gov>, "Cannon, Kate (Lee)" <Kate\_Cannon@lee.senate.gov>, "Sapperstein, Kristin (Kennedy)" <Kristin\_Sapperstein@kennedy.senate.gov>, "Aguillard, Zoe (Cassidy)" <Zoe\_Aguillard@cassidy.senate.gov>  
**Cc:** "Price, Wendi (Inhofe)" <Wendi\_Price@inhofe.senate.gov>, "Humphreys, Hayly" <humphreys.hayly@epa.gov>, "Lyons, Troy" <lyons.troy@epa.gov>, "Holland, Luke (Inhofe)" <Luke\_Holland@inhofe.senate.gov>, "Wright, Jennie (Inhofe)" <Jennie\_Wright@inhofe.senate.gov>, "Forbes, Andrew (Inhofe)" <Andrew\_Forbes@inhofe.senate.gov>, "Eby, Natasha" <eby.natasha@epa.gov>, "Davis, Martha (Cruz)" <Martha\_Davis@cruz.senate.gov>, "Chartan, Steve (Cruz)" <Steve\_Chartan@cruz.senate.gov>, "Shah, Prerak (Cruz)" <Prerak\_Shah@cruz.senate.gov>, "Herod, Amy (Cruz)" <Amy\_Herod@cruz.senate.gov>  
**Subject:** Senators Meeting with Acting Administrator Wheeler

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Best,

**Mimi O'Grady**

Deputy Director of Scheduling  
Office of Senator Ted Cruz | R-TX  
404 Russell Senate Office Building  
(202)224-5922  
Mimi\_O'Grady@cruz.senate.gov

Message

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**From:** Starlight, Caroline (Kennedy) [Caroline\_Starlight@kennedy.senate.gov]  
**Sent:** 2/4/2019 2:56:58 PM  
**To:** Humphreys, Hayly [humphreys.hayly@epa.gov]  
**Subject:** RE: Sen. Kennedy Request

Hi Hayly,  
Sorry for the delayed response. Does Thursday, February 12<sup>th</sup> at 12:15pm work for you all?

Thanks!  
Caroline

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**From:** Humphreys, Hayly <humphreys.hayly@epa.gov>  
**Sent:** Thursday, January 31, 2019 4:17 PM  
**To:** Starlight, Caroline (Kennedy) <Caroline\_Starlight@kennedy.senate.gov>  
**Subject:** RE: Sen. Kennedy Request

Unfortunately, we can't do the morning of the 6<sup>th</sup>. What about 4PM or 4:30PM that day instead?

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**Hayly Humphreys**  
Office of the Administrator  
U.S. EPA

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**From:** Starlight, Caroline (Kennedy) <Caroline\_Starlight@kennedy.senate.gov>  
**Sent:** Thursday, January 31, 2019 4:07 PM  
**To:** Humphreys, Hayly <humphreys.hayly@epa.gov>  
**Subject:** RE: Sen. Kennedy Request

He has committee at that time so he won't be able to meet. What about 9am on the 6<sup>th</sup>?

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**From:** Humphreys, Hayly <humphreys.hayly@epa.gov>  
**Sent:** Thursday, January 31, 2019 4:05 PM  
**To:** Starlight, Caroline (Kennedy) <Caroline\_Starlight@kennedy.senate.gov>  
**Subject:** RE: Sen. Kennedy Request

I don't think we can do 9AM, but would something between 10AM and 11AM on the 7<sup>th</sup> work? Thanks!

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**Hayly Humphreys**  
Office of the Administrator  
U.S. EPA

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**From:** Starlight, Caroline (Kennedy) <Caroline\_Starlight@kennedy.senate.gov>  
**Sent:** Thursday, January 31, 2019 3:54 PM  
**To:** Humphreys, Hayly <humphreys.hayly@epa.gov>  
**Subject:** RE: Sen. Kennedy Request

Hey Hayly,  
Wanted to see if you all would have any availability on Thursday, February 7<sup>th</sup> at 9:00am?

Thanks,  
Caroline

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**From:** Humphreys, Hayly <[humphreys.hayly@epa.gov](mailto:humphreys.hayly@epa.gov)>  
**Sent:** Thursday, January 24, 2019 3:50 PM  
**To:** Starlight, Caroline (Kennedy) <[Caroline\\_Starlight@kennedy.senate.gov](mailto:Caroline_Starlight@kennedy.senate.gov)>  
**Cc:** Eby, Natasha <[eby.natasha@epa.gov](mailto:eby.natasha@epa.gov)>  
**Subject:** Re: Sen. Kennedy Request

No worries at all! We completely understand.

Sent from my iPhone

On Jan 24, 2019, at 3:47 PM, Starlight, Caroline (Kennedy) <[Caroline\\_Starlight@kennedy.senate.gov](mailto:Caroline_Starlight@kennedy.senate.gov)> wrote:

Hi Hayly,  
Sorry to do this, but with the government shutdown, and Leader McConnell asking the Senators to stay this weekend it looks like we will have to push the call to another day. We aren't sure when votes will be scheduled, so we are having to keep his schedule clear for that. I will reach out to you sometime next week to reschedule! Thank you for understanding.

Best,  
Caroline

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**From:** Humphreys, Hayly <[humphreys.hayly@epa.gov](mailto:humphreys.hayly@epa.gov)>  
**Sent:** Friday, January 18, 2019 1:17 PM  
**To:** Starlight, Caroline (Kennedy) <[Caroline\\_Starlight@kennedy.senate.gov](mailto:Caroline_Starlight@kennedy.senate.gov)>  
**Subject:** RE: Sen. Kennedy Request

Sure! Can we use the information below?

Call: 

Ex. 6
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Conf. ID: 

Ex. 6
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**Hayly Humphreys**  
Office of the Administrator  
U.S. EPA

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**From:** Starlight, Caroline (Kennedy) <[Caroline\\_Starlight@kennedy.senate.gov](mailto:Caroline_Starlight@kennedy.senate.gov)>  
**Sent:** Friday, January 18, 2019 11:00 AM  
**To:** Humphreys, Hayly <[humphreys.hayly@epa.gov](mailto:humphreys.hayly@epa.gov)>  
**Subject:** RE: Sen. Kennedy Request

Perfect. And the call should last about 15 minutes. Do y'all have a conference line or something that you would prefer to use?

---

**From:** Humphreys, Hayly <[humphreys.hayly@epa.gov](mailto:humphreys.hayly@epa.gov)>  
**Sent:** Friday, January 18, 2019 10:33 AM  
**To:** Starlight, Caroline (Kennedy) <[Caroline\\_Starlight@kennedy.senate.gov](mailto:Caroline_Starlight@kennedy.senate.gov)>

**Cc:** Eby, Natasha <[eby.natasha@epa.gov](mailto:eby.natasha@epa.gov)>

**Subject:** RE: Sen. Kennedy Request

That's great! We have 1PM ET on 1/25 confirmed on the Acting administrator's calendar. How long do you expect the call to last? And what is the best number where the Senator can be reached?

---

**Hayly Humphreys**

Office of the Administrator

U.S. EPA

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**From:** Starlight, Caroline (Kennedy) <[Caroline\\_Starlight@kennedy.senate.gov](mailto:Caroline_Starlight@kennedy.senate.gov)>

**Sent:** Friday, January 18, 2019 9:16 AM

**To:** Humphreys, Hayly <[humphreys.hayly@epa.gov](mailto:humphreys.hayly@epa.gov)>

**Subject:** RE: Sen. Kennedy Request

Yeah so are we. Want to schedule it for 1:00pmEST?

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**From:** Humphreys, Hayly <[humphreys.hayly@epa.gov](mailto:humphreys.hayly@epa.gov)>

**Sent:** Friday, January 18, 2019 9:07 AM

**To:** Starlight, Caroline (Kennedy) <[Caroline\\_Starlight@kennedy.senate.gov](mailto:Caroline_Starlight@kennedy.senate.gov)>

**Subject:** RE: Sen. Kennedy Request

No problem! What time is best? We are pretty flexible that day.

---

**Hayly Humphreys**

Office of the Administrator

U.S. EPA

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**From:** Starlight, Caroline (Kennedy) <[Caroline\\_Starlight@kennedy.senate.gov](mailto:Caroline_Starlight@kennedy.senate.gov)>

**Sent:** Thursday, January 17, 2019 3:42 PM

**To:** Humphreys, Hayly <[humphreys.hayly@epa.gov](mailto:humphreys.hayly@epa.gov)>

**Subject:** RE: Sen. Kennedy Request

Yes sorry I didn't clarify. The 25<sup>th</sup>!

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**From:** Humphreys, Hayly <[humphreys.hayly@epa.gov](mailto:humphreys.hayly@epa.gov)>

**Sent:** Thursday, January 17, 2019 3:34 PM

**To:** Starlight, Caroline (Kennedy) <[Caroline\\_Starlight@kennedy.senate.gov](mailto:Caroline_Starlight@kennedy.senate.gov)>

**Subject:** Re: Sen. Kennedy Request

Sure! And just to clarify, you mean Friday the 25th correct?

Sent from my iPhone

On Jan 17, 2019, at 3:30 PM, Starlight, Caroline (Kennedy) <[Caroline\\_Starlight@kennedy.senate.gov](mailto:Caroline_Starlight@kennedy.senate.gov)> wrote:

Hey Hayly,

Wednesday is actually not the best day for us. Do y'all have any time to do this on Friday?

Thanks,  
Caroline

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**From:** Humphreys, Hayly <[humphreys.hayly@epa.gov](mailto:humphreys.hayly@epa.gov)>  
**Sent:** Wednesday, January 16, 2019 1:42 PM  
**To:** Starlight, Caroline (Kennedy) <[Caroline\\_Starlight@kennedy.senate.gov](mailto:Caroline_Starlight@kennedy.senate.gov)>  
**Cc:** Eby, Natasha <[eby.natasha@epa.gov](mailto:eby.natasha@epa.gov)>; Lyons, Troy <[lyons.troy@epa.gov](mailto:lyons.troy@epa.gov)>; Frye, Tony (Robert) <[frye.robert@epa.gov](mailto:frye.robert@epa.gov)>; Smith, Marcie (Kennedy) <[Marcie\\_Smith@kennedy.senate.gov](mailto:Marcie_Smith@kennedy.senate.gov)>; Palich, Christian <[palich.christian@epa.gov](mailto:palich.christian@epa.gov)>  
**Subject:** RE: Sen. Kennedy Request

Hi Caroline,

Happy to help set up a call between the Senator and Acting Administrator. Would Wednesday be possible? If so, we are flexible that day and can really do any time before 3PM ET.

Thanks!

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**Hayly Humphreys**  
*Executive Assistant to the Administrator*  
Office of the Administrator  
U.S. Environmental Protection Agency

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**From:** Smith, Marcie (Kennedy) <[Marcie\\_Smith@kennedy.senate.gov](mailto:Marcie_Smith@kennedy.senate.gov)>  
**Sent:** Tuesday, January 15, 2019 5:55 PM  
**To:** Palich, Christian <[palich.christian@epa.gov](mailto:palich.christian@epa.gov)>; Frye, Tony (Robert) <[frye.robert@epa.gov](mailto:frye.robert@epa.gov)>  
**Cc:** Humphreys, Hayly <[humphreys.hayly@epa.gov](mailto:humphreys.hayly@epa.gov)>; Eby, Natasha <[eby.natasha@epa.gov](mailto:eby.natasha@epa.gov)>; Lyons, Troy <[lyons.troy@epa.gov](mailto:lyons.troy@epa.gov)>; Starlight, Caroline (Kennedy) <[Caroline\\_Starlight@kennedy.senate.gov](mailto:Caroline_Starlight@kennedy.senate.gov)>  
**Subject:** RE: Sen. Kennedy Request

Thanks a bunch. I am copying our scheduler, Caroline, as well.

Good luck tomorrow!

Marcie Smith | Legislative Assistant  
U.S. Senator John Kennedy (R-LA)  
383 Russell Senate Office Building | Washington, DC, 20510  
202-224-4623

---

**From:** Palich, Christian <[palich.christian@epa.gov](mailto:palich.christian@epa.gov)>  
**Sent:** Tuesday, January 15, 2019 5:29 PM  
**To:** Smith, Marcie (Kennedy) <[Marcie\\_Smith@kennedy.senate.gov](mailto:Marcie_Smith@kennedy.senate.gov)>; Frye, Tony (Robert) <[frye.robert@epa.gov](mailto:frye.robert@epa.gov)>

**Cc:** Humphreys, Hayly <[humphreys.hayly@epa.gov](mailto:humphreys.hayly@epa.gov)>; Eby, Natasha <[eby.natasha@epa.gov](mailto:eby.natasha@epa.gov)>; Lyons, Troy <[lyons.troy@epa.gov](mailto:lyons.troy@epa.gov)>  
**Subject:** RE: Sen. Kennedy Request

Hi Marcie,

CCing our scheduling team to find a time for this call.

Hope all is well!

Christian R. Palich  
*Deputy Associate Administrator*  
*Office of Congressional & Intergovernmental Affairs*  
*U.S Environmental Protection Agency*  
*O: 202.564.4944*  
*C: Ex. 6*  
*E: [Palich.Christian@epa.gov](mailto:Palich.Christian@epa.gov)*

---

**From:** Smith, Marcie (Kennedy) [[mailto:Marcie\\_Smith@kennedy.senate.gov](mailto:Marcie_Smith@kennedy.senate.gov)]  
**Sent:** Tuesday, January 15, 2019 3:07 PM  
**To:** Frye, Tony (Robert) <[frye.robert@epa.gov](mailto:frye.robert@epa.gov)>; Palich, Christian <[palich.christian@epa.gov](mailto:palich.christian@epa.gov)>  
**Subject:** Sen. Kennedy Request

Hey guys,

Hope you're hanging in there!

Senator Kennedy would like to set up a call with Mr. Wheeler next week to discuss the multiple RFS related items that the EPA is and will be working on this coming year. Right now, he is pretty open both Monday and Wednesday of next week. Is there a preferable time one of those days that would work for your boss? I don't imagine the call would take longer than 20 minutes.

My direct is **Ex. 6** if you need to call. Thanks!

Marcie Smith | Legislative Assistant  
U.S. Senator John Kennedy (R-LA)  
383 Russell Senate Office Building | Washington, DC, 20510  
202-224-4623



Message

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**From:** Starlight, Caroline (Kennedy) [Caroline\_Starlight@kennedy.senate.gov]  
**Sent:** 1/18/2019 6:29:42 PM  
**To:** Humphreys, Hayly [humphreys.hayly@epa.gov]  
**Subject:** RE: Sen. Kennedy Request

Sounds good- Thanks Hayly! Let me know if you need anything else

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**From:** Humphreys, Hayly <humphreys.hayly@epa.gov>  
**Sent:** Friday, January 18, 2019 1:17 PM  
**To:** Starlight, Caroline (Kennedy) <Caroline\_Starlight@kennedy.senate.gov>  
**Subject:** RE: Sen. Kennedy Request

Sure! Can we use the information below?

**Call:** Ex. 6  
**Conf. ID:** Ex. 6

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**Hayly Humphreys**  
Office of the Administrator  
U.S. EPA

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**Subject:** RE: Sen. Kennedy Request

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**Hayly Humphreys**  
Office of the Administrator  
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**Hayly Humphreys**  
Office of the Administrator  
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Hey Hayly,

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**Subject:** RE: Sen. Kennedy Request

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**Hayly Humphreys**

*Executive Assistant to the Administrator*

Office of the Administrator

U.S. Environmental Protection Agency

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Good luck tomorrow!

Marcie Smith | Legislative Assistant

U.S. Senator John Kennedy (R-LA)

383 Russell Senate Office Building | Washington, DC, 20510

202-224-4623

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**From:** Palich, Christian <[palich.christian@epa.gov](mailto:palich.christian@epa.gov)>**Sent:** Tuesday, January 15, 2019 5:29 PM**To:** Smith, Marcie (Kennedy) <[Marcie\\_Smith@kennedy.senate.gov](mailto:Marcie_Smith@kennedy.senate.gov)>; Frye, Tony (Robert) <[frye.robert@epa.gov](mailto:frye.robert@epa.gov)>**Cc:** Humphreys, Hayly <[humphreys.hayly@epa.gov](mailto:humphreys.hayly@epa.gov)>; Eby, Natasha <[eby.natasha@epa.gov](mailto:eby.natasha@epa.gov)>; Lyons, Troy <[lyons.troy@epa.gov](mailto:lyons.troy@epa.gov)>**Subject:** RE: Sen. Kennedy Request

Hi Marcie,

CCing our scheduling team to find a time for this call.

Hope all is well!

Christian R. Palich

*Deputy Associate Administrator*

*Office of Congressional & Intergovernmental Affairs*

*U.S. Environmental Protection Agency*

*O: 202.564.4944*

*C: Ex. 6*

*E: [Palich.Christian@epa.gov](mailto:Palich.Christian@epa.gov)*

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**From:** Smith, Marcie (Kennedy) [[mailto:Marcie\\_Smith@kennedy.senate.gov](mailto:Marcie_Smith@kennedy.senate.gov)]**Sent:** Tuesday, January 15, 2019 3:07 PM

**To:** Frye, Tony (Robert) <[frye.robert@epa.gov](mailto:frye.robert@epa.gov)>; Palich, Christian <[palich.christian@epa.gov](mailto:palich.christian@epa.gov)>

**Subject:** Sen. Kennedy Request

Hey guys,

Hope you're hanging in there!

Senator Kennedy would like to set up a call with Mr. Wheeler next week to discuss the multiple RFS related items that the EPA is and will be working on this coming year. Right now, he is pretty open both Monday and Wednesday of next week. Is there a preferable time one of those days that would work for your boss? I don't imagine the call would take longer than 20 minutes.

My direct is **Ex. 6** if you need to call. Thanks!

Marcie Smith | Legislative Assistant  
U.S. Senator John Kennedy (R-LA)  
383 Russell Senate Office Building | Washington, DC, 20510  
202-224-4623

Message

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**From:** Humphreys, Hayly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4F4A7B4AEAF143BF806B0DD5B7884324-HUMPHREYS,]  
**Sent:** 2/7/2019 10:51:15 PM  
**To:** Starlight, Caroline (Kennedy) [Caroline\_Starlight@kennedy.senate.gov]  
**Subject:** RE: Sen. Kennedy Request

Confirming tomorrow at 11:30AM ET. Thanks, Caroline!

---

**Hayly Humphreys**  
Office of the Administrator  
U.S. EPA

---

**From:** Starlight, Caroline (Kennedy) <Caroline\_Starlight@kennedy.senate.gov>  
**Sent:** Thursday, February 7, 2019 5:18 PM  
**To:** Humphreys, Hayly <humphreys.hayly@epa.gov>  
**Subject:** RE: Sen. Kennedy Request

Hi Hayly,  
I just talked to Kristin- we can do the phone call at 11:30am EST if that works for y'all!

Thanks,  
Caroline

---

**From:** Humphreys, Hayly <humphreys.hayly@epa.gov>  
**Sent:** Thursday, February 7, 2019 3:40 PM  
**To:** Starlight, Caroline (Kennedy) <Caroline\_Starlight@kennedy.senate.gov>  
**Subject:** Re: Sen. Kennedy Request

That still works. Thanks, Caroline!

Sent from my iPhone

On Feb 7, 2019, at 3:10 PM, Starlight, Caroline (Kennedy) <Caroline\_Starlight@kennedy.senate.gov> wrote:

Hi Hayly,  
Unfortunately, the Senator won't be able to make the call or meet this afternoon. Is 3:00pm EST tomorrow still good with you all?

Thanks,  
Caroline

---

**From:** Humphreys, Hayly <humphreys.hayly@epa.gov>  
**Sent:** Thursday, February 7, 2019 2:58 PM  
**To:** Starlight, Caroline (Kennedy) <Caroline\_Starlight@kennedy.senate.gov>  
**Subject:** RE: Sen. Kennedy Request

Hi Caroline,

Any update on this? Happy to do whenever works best for the Senator. We are also happy to come to the office today or tomorrow if that would be helpful.

Thanks!

---

**Hayly Humphreys**

Office of the Administrator  
U.S. EPA

---

**From:** Starlight, Caroline (Kennedy) <Caroline\_Starlight@kennedy.senate.gov>  
**Sent:** Wednesday, February 6, 2019 7:19 PM  
**To:** Humphreys, Hayly <humphreys.hayly@epa.gov>  
**Subject:** Re: Sen. Kennedy Request

Hi Hayly,  
Right now we are unsure of the vote schedule for the afternoon.. can I get back to you in the morning?

Thanks,

Caroline Starlight  
Scheduling Assistant / Senator John Kennedy  
Sent from my iPhone

On Feb 6, 2019, at 6:59 PM, Humphreys, Hayly <humphreys.hayly@epa.gov> wrote:

Hi Caroline,

Is there any chance your boss might be able to do this call tomorrow afternoon instead?

Thanks!

Sent from my iPhone

On Feb 4, 2019, at 1:45 PM, Humphreys, Hayly <humphreys.hayly@epa.gov> wrote:

Perfect! The best number is Ex. 6

---

**Hayly Humphreys**

Office of the Administrator  
U.S. EPA

---

**From:** Starlight, Caroline (Kennedy)  
<Caroline\_Starlight@kennedy.senate.gov>  
**Sent:** Monday, February 4, 2019 1:33 PM  
**To:** Humphreys, Hayly <humphreys.hayly@epa.gov>  
**Subject:** RE: Sen. Kennedy Request

Ok! Lets confirm the phone call for 3:00pmEST. What is the best number for us to use?

---

**From:** Humphreys, Hayly <[humphreys.hayly@epa.gov](mailto:humphreys.hayly@epa.gov)>  
**Sent:** Monday, February 4, 2019 11:46 AM  
**To:** Starlight, Caroline (Kennedy)  
<[Caroline\\_Starlight@kennedy.senate.gov](mailto:Caroline_Starlight@kennedy.senate.gov)>  
**Subject:** RE: Sen. Kennedy Request

No I'm sorry too! Yes, happy to do a phone call on Friday afternoon. We can really do anything after 2:30PM ET.

---

**Hayly Humphreys**  
Office of the Administrator  
U.S. EPA

---

**From:** Starlight, Caroline (Kennedy)  
<[Caroline\\_Starlight@kennedy.senate.gov](mailto:Caroline_Starlight@kennedy.senate.gov)>  
**Sent:** Monday, February 4, 2019 11:43 AM  
**To:** Humphreys, Hayly <[humphreys.hayly@epa.gov](mailto:humphreys.hayly@epa.gov)>  
**Subject:** RE: Sen. Kennedy Request

**Ex. 6**

Would

you all be interested in a phone call maybe on Friday? Sorry there is so much back and forth with this!

---

**From:** Humphreys, Hayly <[humphreys.hayly@epa.gov](mailto:humphreys.hayly@epa.gov)>  
**Sent:** Monday, February 4, 2019 11:05 AM  
**To:** Starlight, Caroline (Kennedy)  
<[Caroline\\_Starlight@kennedy.senate.gov](mailto:Caroline_Starlight@kennedy.senate.gov)>  
**Subject:** RE: Sen. Kennedy Request

Unfortunately we can't do the 6<sup>th</sup>. What about the 7<sup>th</sup> at 3:15PM or 3:30PM? Thanks!

---

**Hayly Humphreys**  
Office of the Administrator  
U.S. EPA

---

**From:** Starlight, Caroline (Kennedy)  
<[Caroline\\_Starlight@kennedy.senate.gov](mailto:Caroline_Starlight@kennedy.senate.gov)>  
**Sent:** Monday, February 4, 2019 10:47 AM  
**To:** Humphreys, Hayly <[humphreys.hayly@epa.gov](mailto:humphreys.hayly@epa.gov)>  
**Subject:** Re: Sen. Kennedy Request

Or actually how about 11:00am this Wednesday?

Caroline Starlight  
Scheduling Assistant / Senator John Kennedy  
Sent from my iPhone

On Jan 31, 2019, at 4:17 PM, Humphreys, Hayly  
<[humphreys.hayly@epa.gov](mailto:humphreys.hayly@epa.gov)> wrote:

Unfortunately, we can't do the morning of the 6<sup>th</sup>. What about 4PM or 4:30PM that day instead?

---

**Hayly Humphreys**

Office of the Administrator  
U.S. EPA

---

**From:** Starlight, Caroline (Kennedy)  
<[Caroline\\_Starlight@kennedy.senate.gov](mailto:Caroline_Starlight@kennedy.senate.gov)>  
**Sent:** Thursday, January 31, 2019 4:07 PM  
**To:** Humphreys, Hayly <[humphreys.hayly@epa.gov](mailto:humphreys.hayly@epa.gov)>  
**Subject:** RE: Sen. Kennedy Request

He has committee at that time so he won't be able to meet. What about 9am on the 6<sup>th</sup>?

---

**From:** Humphreys, Hayly <[humphreys.hayly@epa.gov](mailto:humphreys.hayly@epa.gov)>  
**Sent:** Thursday, January 31, 2019 4:05 PM  
**To:** Starlight, Caroline (Kennedy)  
<[Caroline\\_Starlight@kennedy.senate.gov](mailto:Caroline_Starlight@kennedy.senate.gov)>  
**Subject:** RE: Sen. Kennedy Request

I don't think we can do 9AM, but would something between 10AM and 11AM on the 7<sup>th</sup> work? Thanks!

---

**Hayly Humphreys**

Office of the Administrator  
U.S. EPA

---

**From:** Starlight, Caroline (Kennedy)  
<[Caroline\\_Starlight@kennedy.senate.gov](mailto:Caroline_Starlight@kennedy.senate.gov)>  
**Sent:** Thursday, January 31, 2019 3:54 PM  
**To:** Humphreys, Hayly <[humphreys.hayly@epa.gov](mailto:humphreys.hayly@epa.gov)>  
**Subject:** RE: Sen. Kennedy Request

Hey Hayly,  
Wanted to see if you all would have any availability on Thursday, February 7<sup>th</sup> at 9:00am?

Thanks,  
Caroline

---

**From:** Humphreys, Hayly <[humphreys.hayly@epa.gov](mailto:humphreys.hayly@epa.gov)>  
**Sent:** Thursday, January 24, 2019 3:50 PM  
**To:** Starlight, Caroline (Kennedy)  
<[Caroline\\_Starlight@kennedy.senate.gov](mailto:Caroline_Starlight@kennedy.senate.gov)>  
**Cc:** Eby, Natasha <[eby.natasha@epa.gov](mailto:eby.natasha@epa.gov)>  
**Subject:** Re: Sen. Kennedy Request

No worries at all! We completely understand.



Sent from my iPhone

On Jan 24, 2019, at 3:47 PM, Starlight, Caroline (Kennedy) <Caroline\_Starlight@kennedy.senate.gov> wrote:

Hi Hayly,  
Sorry to do this, but with the government shutdown, and Leader McConnell asking the Senators to stay this weekend it looks like we will have to push the call to another day. We aren't sure when votes will be scheduled, so we are having to keep his schedule clear for that. I will reach out to you sometime next week to reschedule! Thank you for understanding.

Best,  
Caroline

---

**From:** Humphreys, Hayly  
<humphreys.hayly@epa.gov>  
**Sent:** Friday, January 18, 2019 1:17 PM  
**To:** Starlight, Caroline (Kennedy)  
<Caroline\_Starlight@kennedy.senate.gov>  
**Subject:** RE: Sen. Kennedy Request

Sure! Can we use the information below?

**Call:** Ex. 6  
**Conf. ID:** Ex. 6

---

**Hayly Humphreys**  
Office of the Administrator  
U.S. EPA

---

**From:** Starlight, Caroline (Kennedy)  
<Caroline\_Starlight@kennedy.senate.gov>  
**Sent:** Friday, January 18, 2019 11:00 AM  
**To:** Humphreys, Hayly  
<humphreys.hayly@epa.gov>  
**Subject:** RE: Sen. Kennedy Request

Perfect. And the call should last about 15 minutes. Do y'all have a conference

line or something that you would prefer to use?

---

**From:** Humphreys, Hayly  
<[humphreys.hayly@epa.gov](mailto:humphreys.hayly@epa.gov)>  
**Sent:** Friday, January 18, 2019 10:33 AM  
**To:** Starlight, Caroline (Kennedy)  
<[Caroline\\_Starlight@kennedy.senate.gov](mailto:Caroline_Starlight@kennedy.senate.gov)>  
**Cc:** Eby, Natasha  
<[eby.natasha@epa.gov](mailto:eby.natasha@epa.gov)>  
**Subject:** RE: Sen. Kennedy Request

That's great! We have 1PM ET on 1/25 confirmed on the Acting administrator's calendar. How long do you expect the call to last? And what is the best number where the Senator can be reached?

---

**Hayly Humphreys**  
Office of the Administrator  
U.S. EPA

---

**From:** Starlight, Caroline (Kennedy)  
<[Caroline\\_Starlight@kennedy.senate.gov](mailto:Caroline_Starlight@kennedy.senate.gov)>  
**Sent:** Friday, January 18, 2019 9:16 AM  
**To:** Humphreys, Hayly  
<[humphreys.hayly@epa.gov](mailto:humphreys.hayly@epa.gov)>  
**Subject:** RE: Sen. Kennedy Request

Yeah so are we. Want to schedule it for 1:00pmEST?

---

**From:** Humphreys, Hayly  
<[humphreys.hayly@epa.gov](mailto:humphreys.hayly@epa.gov)>  
**Sent:** Friday, January 18, 2019 9:07 AM  
**To:** Starlight, Caroline (Kennedy)  
<[Caroline\\_Starlight@kennedy.senate.gov](mailto:Caroline_Starlight@kennedy.senate.gov)>  
**Subject:** RE: Sen. Kennedy Request

No problem! What time is best? We are pretty flexible that day.

---

**Hayly Humphreys**  
Office of the Administrator  
U.S. EPA

---

**From:** Starlight, Caroline (Kennedy)  
<Caroline\_Starlight@kennedy.senate.gov>  
**Sent:** Thursday, January 17, 2019 3:42 PM  
**To:** Humphreys, Hayly  
<humphreys.hayly@epa.gov>  
**Subject:** RE: Sen. Kennedy Request

Yes sorry I didn't clarify. The 25<sup>th</sup>!

---

**From:** Humphreys, Hayly  
<humphreys.hayly@epa.gov>  
**Sent:** Thursday, January 17, 2019 3:34 PM  
**To:** Starlight, Caroline (Kennedy)  
<Caroline\_Starlight@kennedy.senate.gov>  
**Subject:** Re: Sen. Kennedy Request

Sure! And just to clarify, you mean Friday the 25th correct?

Sent from my iPhone

On Jan 17, 2019, at 3:30 PM, Starlight, Caroline (Kennedy)  
<Caroline\_Starlight@kennedy.senate.gov> wrote:

Hey Hayly,

Wednesday is actually not the best day for us. Do y'all have any time to do this on Friday?

Thanks,  
Caroline

---

**From:** Humphreys, Hayly  
<humphreys.hayly@epa.gov>  
**Sent:** Wednesday, January 16, 2019 1:42 PM  
**To:** Starlight, Caroline (Kennedy)  
<Caroline\_Starlight@ke

[nnedy.senate.gov](mailto:nnedy.senate.gov)>

**Cc:** Eby, Natasha

[<eby.natasha@epa.gov](mailto:eby.natasha@epa.gov)

>; Lyons, Troy

[<lyons.troy@epa.gov>;](mailto:lyons.troy@epa.gov)

Frye, Tony (Robert)

[<frye.robert@epa.gov>;](mailto:frye.robert@epa.gov)

Smith, Marcie

(Kennedy)

[<Marcie\\_Smith@kenne](mailto:Marcie_Smith@kenne)

[dy.senate.gov](mailto:dy.senate.gov)>; Palich,

Christian

[<palich.christian@epa.g](mailto:palich.christian@epa.g)

[ov](mailto:ov)>

**Subject:** RE: Sen.

Kennedy Request

Hi Caroline,

Happy to help set up a call between the Senator and Acting Administrator. Would Wednesday be possible? If so, we are flexible that day and can really do any time before 3PM ET.

Thanks!

---

**Hayly Humphreys**

*Executive Assistant to*

*the Administrator*

Office of the

Administrator

U.S. Environmental

Protection Agency

---

**From:** Smith, Marcie

(Kennedy)

[<Marcie\\_Smith@kenne](mailto:Marcie_Smith@kenne)

[dy.senate.gov](mailto:dy.senate.gov)>

**Sent:** Tuesday, January

15, 2019 5:55 PM

**To:** Palich, Christian

[<palich.christian@epa.g](mailto:palich.christian@epa.g)

[ov](mailto:ov)>; Frye, Tony (Robert)

[<frye.robert@epa.gov>](mailto:frye.robert@epa.gov)

**Cc:** Humphreys, Hayly

[<humphreys.hayly@ep](mailto:humphreys.hayly@ep)

[a.gov](mailto:a.gov)>; Eby, Natasha

<[eby.natasha@epa.gov](mailto:eby.natasha@epa.gov)  
>; Lyons, Troy  
<[lyons.troy@epa.gov](mailto:lyons.troy@epa.gov)>;  
Starlight, Caroline  
(Kennedy)  
<[Caroline\\_Starlight@kenedy.senate.gov](mailto:Caroline_Starlight@kenedy.senate.gov)>  
**Subject:** RE: Sen.  
Kennedy Request

Thanks a bunch. I am  
copying our scheduler,  
Caroline, as well.

Good luck tomorrow!

Marcie Smith |  
Legislative Assistant  
U.S. Senator John  
Kennedy (R-LA)  
383 Russell Senate  
Office Building |  
Washington, DC, 20510  
202-224-4623

---

**From:** Palich, Christian  
<[palich.christian@epa.gov](mailto:palich.christian@epa.gov)>  
**Sent:** Tuesday, January  
15, 2019 5:29 PM  
**To:** Smith, Marcie  
(Kennedy)  
<[Marcie\\_Smith@kenedy.senate.gov](mailto:Marcie_Smith@kenedy.senate.gov)>; Frye,  
Tony (Robert)  
<[frye.robert@epa.gov](mailto:frye.robert@epa.gov)>  
**Cc:** Humphreys, Hayly  
<[humphreys.hayly@epa.gov](mailto:humphreys.hayly@epa.gov)>; Eby, Natasha  
<[eby.natasha@epa.gov](mailto:eby.natasha@epa.gov)  
>; Lyons, Troy  
<[lyons.troy@epa.gov](mailto:lyons.troy@epa.gov)>  
**Subject:** RE: Sen.  
Kennedy Request

Hi Marcie,

CCing our scheduling  
team to find a time for  
this call.

Hope all is well!

Christian R. Palich  
*Deputy Associate  
Administrator  
Office of  
Congressional &  
Intergovernmental  
Affairs  
U.S Environmental  
Protection Agency  
O: 202.564.4944  
C: Ex. 6  
E:  
[Palich.Christian@epa.gov](mailto:Palich.Christian@epa.gov)*

---

**From:** Smith, Marcie  
(Kennedy)  
[\[mailto:Marcie\\_Smith@kennedy.senate.gov\]](mailto:Marcie_Smith@kennedy.senate.gov)  
**Sent:** Tuesday, January  
15, 2019 3:07 PM  
**To:** Frye, Tony (Robert)  
<[frye.robert@epa.gov](mailto:frye.robert@epa.gov)>;  
Palich, Christian  
<[palich.christian@epa.gov](mailto:palich.christian@epa.gov)>  
**Subject:** Sen. Kennedy  
Request

Hey guys,

Hope you're hanging in  
there!

Senator Kennedy would  
like to set up a call with  
Mr. Wheeler next week  
to discuss the multiple  
RFS related items that  
the EPA is and will be  
working on this coming  
year. Right now, he is  
pretty open both  
Monday and  
Wednesday of next  
week. Is there a  
preferable time one of  
those days that would  
work for your boss? I  
don't imagine the call

would take longer than  
20 minutes.

My direct is **Ex. 6**  
**Ex. 6** if you need to call.  
Thanks!

Marcie Smith |  
Legislative Assistant  
U.S. Senator John  
Kennedy (R-LA)  
383 Russell Senate  
Office Building |  
Washington, DC, 20510  
202-224-4623

Message

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**From:** Lyons, Troy [lyons.troy@epa.gov]  
**Sent:** 2/11/2019 8:03:09 PM  
**To:** Smith, Marcie (Kennedy) [Marcie\_Smith@kennedy.senate.gov]  
**CC:** Starlight, Caroline (Kennedy) [Caroline\_Starlight@kennedy.senate.gov]; Jackson, Ryan [jackson.ryan@epa.gov]  
**Subject:** Re: Follow Up

Wanted to circle back to check on the Senator's availability.

Sent from my iPhone

On Feb 8, 2019, at 4:38 PM, Smith, Marcie (Kennedy) <Marcie\_Smith@kennedy.senate.gov> wrote:

Thanks, Troy. We will let you know ASAP.

Have a nice weekend!

Marcie Smith | Legislative Assistant  
U.S. Senator John Kennedy (R-LA)  
383 Russell Senate Office Building | Washington, DC, 20510  
202-224-4623

---

**From:** Lyons, Troy <lyons.troy@epa.gov>  
**Sent:** Friday, February 8, 2019 4:01 PM  
**To:** Smith, Marcie (Kennedy) <Marcie\_Smith@kennedy.senate.gov>; Starlight, Caroline (Kennedy) <Caroline\_Starlight@kennedy.senate.gov>  
**Cc:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Subject:** Follow Up

Marcie, Caroline:

During today's conversation with Acting Administrator Wheeler, Senator Kennedy said he would like to meet with the folks who are tasked with drafting the RIN transparency reform proposal. We want to honor the Senator's request and answer any additional questions he may have. Please let me know a good time early next week when we could bring those staffers in to visit with Senator Kennedy.

Many thanks,

Troy

---

**Troy M. Lyons**  
Associate Administrator  
Office of Congressional & Intergovernmental Relations  
U.S. Environmental Protection Agency

**Ex. 6**



Message

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**From:** Chris Barnes [Chris.Barnes@la.gov]  
**Sent:** 11/5/2018 9:55:22 PM  
**To:** Jackson, Ryan [jackson.ryan@epa.gov]  
**CC:** Wheeler, Andrew [wheeler.andrew@epa.gov]; Wagner, Kenneth [wagner.kenneth@epa.gov]; Molina, Michael [molina.michael@epa.gov]; Ron\_Anderson@cassidy.senate.gov; Blake\_Schindler@cassidy.senate.gov; Herman\_Gesser@kennedy.senate.gov; Smith\_Marcie@kennedy.senate.gov; Megan.Miller@mail.house.gov; Clare.Trokey@mail.house.gov; Ian.Bennitt@mail.house.gov; Dustin.Davidson@mail.house.gov; Peter.Hunter@mail.house.gov; Johnny Bradberry [Johnny.Bradberry@la.gov]; Michael Ellison [Michael.Ellison@la.gov]; Chip Kline [Chip.Kline@LA.GOV]; bren.haase@la.gov; Enger Kinchen [Enger.Kinchen@LA.GOV]  
**Subject:** Follow up to October 16 visit to Louisiana  
**Attachments:** Ltr to R. Jackson 11.05.2018.pdf

Dear Chief of Staff Jackson,

Thank you for your October 16 visit to Louisiana with Administrator Wheeler and EPA's senior delegation to learn about our coastal program and hear about some of our RESTORE-related priorities. We very much appreciate your time and attention to our coastal crisis and your interest in our program. As a follow up to our meeting, please find the attached letter regarding some of the items we discussed during your visit.

Many thanks,  
Chris

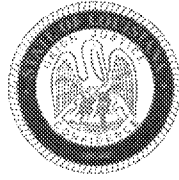
**Christine ("Chris") Barnes**  
*Office of the Governor*  
*Legal Advisor - Coastal Activities*

**Ex. 6**



Office of the Governor  
State of Louisiana

JOHN BEL EDWARDS  
GOVERNOR



P.O. Box 94004  
BATON ROUGE, LOUISIANA 70804-9004  
(225) 342-7015  
GOV.LA.GOV

November 5, 2018

Mr. Ryan Jackson  
Chief of Staff  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460  
Mail code: 1101A

Dear Chief of Staff Jackson,

We want to thank you, Administrator Wheeler, and the rest of the U.S. Environmental Protection Agency's senior delegation for your visit a couple of weeks ago to learn more about Louisiana's coastal program and for taking the time to meet with us to discuss some of our program's key priorities. We very much appreciate your time and attention to our coastal crisis and we hope that we can count on EPA's continued support of our coastal program as we move forward.

As a follow up to our meetings, there are two critical areas where we believe EPA's leadership as Chair of the RESTORE Council would be helpful in expediting projects that are priorities for both our coastal program and to Gulf Coast ecosystem restoration in general: helping us address the issue of borrowing authority for Council-Selected Restoration Component funds with Council membership to help expedite implementation of Gulf restoration projects, and using the Council membership to establish meaningful regulatory efficiencies for large-scale ecosystem restoration projects. Addressing issues such as these will allow us to implement our large-scale ecosystem restoration projects more quickly and efficiently, which will not only better protect our citizens, businesses and industries from the devastating consequences of coastal land loss, but will also reduce the risk to billions of dollars of nationally important assets into the future.

***An Investment in Louisiana's Coast is a Smart Investment for the Nation***

As we discussed last week, the loss of Louisiana's coastal wetlands is an ongoing and increasing national crisis.<sup>1</sup> Without intervention, Louisiana's coastal estuaries will face collapse in the next 50

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<sup>1</sup> The impacted area is home to half of the country's oil refineries and pipelines serving 90 percent of the nation's offshore energy production. The State also ships the most cargo in the nation along the Mississippi River and its waterways. Louisiana's wetlands today represent about 40 percent of the wetlands in the continental United States and are home to the most productive fisheries in the continental United States.

years, losing up to 4,000 additional square miles of wetlands. Meanwhile, time is money and the cost per acre to rebuild marsh more than doubles over 20 years.<sup>2</sup> Likewise, **this land loss will exacerbate flood damage, putting lives at risk and impacting billions of dollars of economic assets and economic activity over the next 50 years**. Louisiana's deteriorating coast is also a liability borne by the entire United States. Direct land loss in Louisiana threatens \$3.6 billion in assets, \$7.6 billion in economic activity, and up to 12,200 jobs.<sup>3</sup> Moreover, **a single storm striking the New Orleans area in a future with increased land loss could result in a \$138 billion increase in storm damages** in spite of the \$14.5 billion federal post-Katrina investment.<sup>4</sup> Economic disruptions from a single storm event such as this could affect 26,000 establishments, 320,000 employees and an additional \$53 billion in lost economic output above the impacts of a similar event occurring on today's coast.<sup>5</sup>

The good news is that Louisiana has a plan to address this crisis. As referenced in our Coastal 101 briefing, the Louisiana Legislature unanimously approved Louisiana's 2017 Coastal Master Plan<sup>6</sup>, the second revision of a 50 year, \$50 billion plan to restore Louisiana's coast and protect the state against hurricane storm surge. Completion of the projects in the plan would add or maintain over 800 square miles of coastal land and wetlands, compared to a future where no projects are built. Further, **by 2067, the projects in the plan would reduce flood damage by \$150 billion, resulting in a threefold return on investment that will benefit all Americans**. This is because Louisiana's coast plays a unique role in supplying the nation with energy (production, transportation, and refining), providing over-water access to national and international markets for agricultural and petrochemical producers throughout the Mississippi River watershed, and it provides essential habitat and nurseries for migratory birds and seafood that is enjoyed by the entire country. Even though we know we cannot save every inch of land on our coast, the projects in our Coastal Master Plan represent smart investments that offer long-term sustainability and will pay big dividends, on both a statewide and national scale, in the future.

### ***RESTORE Borrowing Authority Would Help Expedite Critical Coastal Projects***

As you know, RESTORE Act funds are essential to our coastal program. Because our coastal restoration and protection needs are so significant – and because we know that investments in our

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<sup>2</sup> For the lowest sea level rise scenario, the cost per acre to rebuild marsh increases more than 100%. For the medium scenario, the cost per acre created increases almost 200% in 20 years and more than 600% in 40 years at 2% inflation. See The Water Institute of the Gulf (2016) "Future Costs of Marsh Creation Projects in Coastal Louisiana, Baton Rouge, LA, available at: <http://www.mississippiriverdelta.org/files/2016/12/FutureCostofRestorationAnalysisFall2016.pdf>

<sup>3</sup> Barnes, Stephen R.; Bond, Craig; Burger, Nicholas; Anania, Kate; Strong, Aaron; Weiland, Sarah; and Virgets, Stephanie (2017) "Economic Evaluation of Coastal Land Loss in Louisiana," Journal of Ocean and Coastal Economics: Vol. 4: Iss. 1, Article 3. DOI: <https://doi.org/10.15351/2373-8456.1062> (updated dollar figures provided in Barnes, Stephen R., Phd and Stephanie Virgets, MA, "Regional Impacts of Coastal Land Loss and Louisiana's Opportunity for Growth", available at <https://www.edf.org/sites/default/files/LSU-EPRG-Regional-Economic-Land-Loss-Risks-and-Opportunities-2017.pdf>).

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> A copy of Louisiana's Comprehensive Master Plan for a Sustainable Coast is enclosed and an electronic version is available at: <http://coastal.la.gov/our-plan/2017-coastal-master-plan/>.

coastal program represent a proactive way to ensure a safer, more sustainable and more resilient future – the State of Louisiana has already dedicated the entirety of our currently allocated RESTORE funds over the next 13 years to projects in our Coastal Master Plan and these projects are moving forward. This amounts to a total of \$811.9 million from both the Direct Component (Bucket 1) and the Spill Impact Component (Bucket 3) through 2031. During this time, the Council has also allocated project funds of approximately \$183 million to RESTORE Council members from the Council-Selected Restoration Component (Bucket 2), of which approximately \$52 million will fund ecosystem projects in Louisiana.

With roughly \$1.4 billion in additional funds scheduled to flow through Bucket 2 over the next 13 years of the BP *Deepwater Horizon* settlement payout, and a Gulf Coast ecosystem in dire need of restoration projects, it will be incredibly difficult to undertake the scale of ecosystem restoration necessary to accomplish the goals of the RESTORE Act with an annual cash flow of only \$91 million per year through 2031. It will also be impossible to fulfill the Council's position, as stated in its 2016 Comprehensive Plan Update, that it wants to avoid "random acts of restoration" and instead anticipates funding "significantly larger projects and project lists that reflect the full amount available to be spent for restoration activities".<sup>7</sup> Importantly, all 11 Council members will be competing for these funds which are currently scheduled to be allocated in three year increments when only approximately \$252-\$350 million<sup>8</sup> is available for distribution. **This limited cash flow essentially penalizes Louisiana for having exactly the kind of projects that the Council should be making every effort to fund – very large-scale ecosystem restoration projects that are based on the best available science, will contribute significantly to Gulf Coast ecosystem restoration and are included in a comprehensive state plan for restoration and protection.** Indeed, based on the Council's tentative Funded Priorities List (FPL) schedule, many of Louisiana's projects could exceed the amount of funds available in any given FPL, or even multiple FPLs, and the Council has taken the position that it cannot provide a binding commitment to fund projects in the future or projects that would exceed the amount available in any single FPL. **Consequently, the cash flow issue necessarily incentivizes the Council to fund smaller projects at the expense of larger, more impactful ecosystem-scale projects.**

It is our understanding that the Council has taken the position that it cannot borrow against, bond or otherwise securitize the Bucket 2 RESTORE funds as this would be a violation of the Antideficiency Act, Pub. L. 97-258, 96 Stat. 923, 31 U.S.C. §131.<sup>9</sup> More specifically, it is our understanding from the Council that the Antideficiency Act essentially prevents the Council from incurring obligations or making expenditures in excess of the funds currently available in the RESTORE Trust Fund. As such, the Council's position is that any form of borrowing against or securitization of RESTORE dollars by the RESTORE Council for Bucket 2 funds would require

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<sup>7</sup> See Comprehensive Plan 2016 Update at pp. 6 & 22, available at: [https://www.restorethegulf.gov/sites/default/files/CO-PL\\_20161208\\_CompPlanUpdate\\_English.pdf](https://www.restorethegulf.gov/sites/default/files/CO-PL_20161208_CompPlanUpdate_English.pdf).

<sup>8</sup> For year 2020, the next year during which the Council plans to release a Funded Priorities List (FPL), there will be approximately \$350 million available. For years 2023, 2026, 2029 and 2032, there will be approximately \$252-\$260 million available.

<sup>9</sup> The Council has taken the position that it also has no statutory gift acceptance or donation acceptance authority, making it impossible to even accept a donation or a zero percent interest loan where the interest would be gifted or donated to the Council.

specific statutory authority. While neither the RESTORE Act, nor any other federal law, provides such authority, there is currently pending legislation in Congress (H.R. 2923 – Gulf States Coordination Act) to accomplish just this objective. **Accordingly, we respectfully request your assistance in addressing this issue with the Council so that we may build sufficient support to get this legislation passed.** Accessing the money today instead of 13 years from now will enable the Council to fast track the implementation of important, high performing projects – rather than waiting a decade to do so – which will provide significantly better results for the Gulf Coast region.

### ***The RESTORE Council as a Vehicle for Regulatory Reform for Ecosystem Restoration Projects***

Not only is limited cash flow an obstacle to efficient implementation of Louisiana's large-scale integrated coastal protection projects, but current environmental review and regulatory processes intended to protect the environment are also creating delays, which can add significant expense to project implementation and defer the benefits of project performance. To be clear, the State of Louisiana supports and values the federal environmental review and permitting processes. However, certain aspects of those existing processes can often make it difficult to quickly obtain regulatory approvals, even for projects designed to restore the natural environment.

In practice, these various regulatory schemes evaluate the impacts of restoration projects using the same approach as they do when evaluating private development projects. This means impacts are evaluated against current conditions, focusing on short term impacts, rather than long-term benefits and historic ongoing damages. **However, large-scale estuarine restoration projects, like those included in Louisiana's Coastal Master Plan, are designed specifically for the purpose of changing existing conditions, because existing conditions represent an ongoing degradation of the environment. Thus, regulators' focus on reducing short-term environmental impacts to preserve pre-project conditions is inconsistent with the necessary objective of many of our coastal restoration efforts.**

Each federal agency also has jurisdiction over different natural resources, requiring each agency to view a project through the lens of a different resource. This makes it exceedingly difficult for the Federal Government, as a whole, to evaluate the impacts of a federal action on a large-scale ecosystem basis as it should, rather than on a disjointed basis focused on individual natural resources. In any event, the State anticipates that it will seek implementation of as many as five complex coastal restoration projects over the next few years. Moreover, billions of dollars will be flowing into the Gulf through the other Gulf Coast States for ecosystem-related projects over the next decade. If efficiencies are not identified and implemented immediately, the simultaneous submission of these projects, in addition to the Federal agencies' existing workloads, will exceed current federal resources.

As referenced during our Coastal 101 briefing, post-2005, the State of Louisiana established CPRA as the single state entity with the authority to articulate a clear statement of priorities and to focus development and implementation efforts to achieve comprehensive coastal protection for Louisiana. This model has created efficiencies in terms of our ability to work with the Federal Government and to integrate coastal restoration and protection efforts into one agency that can address integrated coastal protection efforts at an ecosystem level. This framework has also

streamlined the State's ability to implement our priority coastal projects more quickly, which means our coast is more resilient and our citizens are safer today than ever before.

Similarly, NEPA's Section 102 policy statement calls for an integrated and coordinated effort and provides that all agencies of the Federal Government shall "utilize a systematic, interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and in decision-making which may have an impact on man's environment".<sup>10</sup> One way the Federal Government could ensure that its stated NEPA policy is fulfilled would be to streamline some of its own efforts and create a "one stop shop" for its regulatory and permitting efforts for large scale ecosystem restoration projects. This could even be done on a regional Gulf Coast basis and could ultimately serve as a national model for other coastal vulnerability hot spots such as the Outer Banks of North Carolina, Virginia Beach, the Jersey Shoreline, New York City, and Miami, that are facing some of the same issues as the Gulf Coast.

The RESTORE Council could be used as a regional platform for coordinating regulatory and permitting efforts relative to Gulf Coast restoration, or even more specifically for *Deepwater Horizon* oil spill restoration projects, including not only those funded with RESTORE dollars, but also Natural Resource Damage Assessment and National Fish and Wildlife Foundation grant funds. Each of the relevant regulatory and permitting agencies, as well as the five Gulf Coast States are represented on the RESTORE Council, so the agency is well-positioned to serve in such a role. The RESTORE Council's 2016 Comprehensive Plan Update also contains multiple commitments to collaboration and coordination among its members, further highlighting the agency's unique position in the Federal Government to serve as a platform for meaningful regulatory and permitting reform. The RESTORE Council is also working with the Gulf Coast Interagency Environmental Restoration Work Group (GCIERWG) to identify regulatory efficiencies for Gulf Coast ecosystem restoration projects; however neither the Council nor the GCIERWG currently has the authority to require implementation of regulatory efficiencies.

Louisiana believes that these issues can be addressed using the existing regulatory regime. Ideally, when a major ecosystem restoration project involving actions from multiple federal agencies is proposed, front-end coordination through centralized, executive-level leadership could be used to guide and direct the various agencies toward a comprehensive and focused goal of efficient analysis and, ultimately, implementation. Nevertheless, that efficiency has proven elusive. Louisiana would therefore be very supportive of any effort EPA, as the RESTORE Council Chair, might be interested in making to explore potential avenues for modifying the existing regime as it applies to large scale ecological restoration projects.

### ***Conclusion***

We hope that you enjoyed your visit with us and we very much appreciate the time you spent learning more about our coastal program. We also hope that we were able to show you why our program is a good investment not only for Louisiana, but also for the nation. We are looking forward to continuing our work with EPA, both through the RESTORE Council and otherwise, and

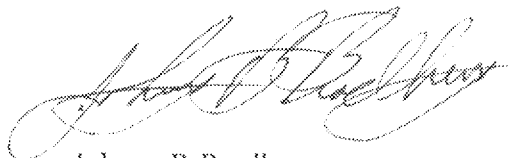
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<sup>10</sup> See 42 U.S.C. § 4332(A).

believe that a strong partnership between our agencies will provide a strong foundation for the success of our coastal program.

We will be in Washington DC in mid-November and would appreciate the opportunity to meet with you to follow up on the issues addressed herein, provided your schedule permits. Additionally, please do not hesitate to reach out to us should you want to discuss these matters in more detail.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Johnny B. Bradberry', written in a cursive style.

Johnny B. Bradberry  
Governor's Executive Assistant for Coastal  
Activities and Chairman, CPRA Board

Enclosures

cc: Administrator Wheeler  
Kenneth Wagner  
Michael Molina  
Sen. William Cassidy, M.D.  
Sen. John Kennedy  
Rep. Steve Scalise  
Rep. Garret Graves  
Rep. Cedric Richmond  
Chip Kline  
Bren Haase  
Chris Barnes

Message

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**From:** Chris Barnes [Chris.Barnes@la.gov]  
**Sent:** 11/5/2018 9:54:25 PM  
**To:** Wheeler, Andrew [wheeler.andrew@epa.gov]  
**CC:** Jackson, Ryan [jackson.ryan@epa.gov]; Wagner, Kenneth [wagner.kenneth@epa.gov]; Molina, Michael [molina.michael@epa.gov]; Ron\_Anderson@cassidy.senate.gov; Blake\_Schindler@cassidy.senate.gov; Herman\_Gesser@kennedy.senate.gov; Smith\_Marcie@kennedy.senate.gov; Megan.Miller@mail.house.gov; Clare.Trokey@mail.house.gov; Ian.Bennitt@mail.house.gov; Dustin.Davidson@mail.house.gov; Peter.Hunter@mail.house.gov; Johnny Bradberry [Johnny.Bradberry@la.gov]; Michael Ellison [Michael.Ellison@la.gov]; Chip Kline [Chip.Kline@LA.GOV]; bren.haase@la.gov; Enger Kinchen [Enger.Kinchen@LA.GOV]  
**Subject:** Follow up to October 16 visit to Louisiana  
**Attachments:** Ltr to A. Wheeler 11.05.2018.pdf

Dear Administrator Wheeler,

Thank you for your October 16 visit to Louisiana and for giving us the opportunity to talk with you about our coastal program and share some of our RESTORE-related priorities. We very much appreciate your time and attention to our coastal crisis and your interest in our program. In connection with this, please find the attached letter following up on some of the items we discussed during your visit.

Many thanks,  
Chris

**Christine ("Chris") Barnes**  
*Office of the Governor*  
*Legal Advisor - Coastal Activities*

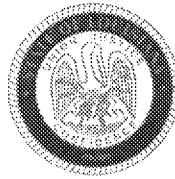
**Ex. 6**





Office of the Governor  
State of Louisiana

JOHN BEL EDWARDS  
GOVERNOR



P.O. Box 94004  
BATON ROUGE, LOUISIANA 70804-9004  
(225) 342-7015  
GOV.LA.GOV

November 5, 2018

The Honorable Andrew Wheeler  
Acting Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460  
Mail code: 1101A

Dear Administrator Wheeler,

As Governor John Bel Edwards' designee to the Gulf Coast Ecosystem Restoration Council (Council) established by the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 (RESTORE Act), we want to thank you, Ken Wagner, and the rest of your senior delegation for your visit a couple of weeks ago to learn more about Louisiana's coastal program. We very much appreciate your time and attention to our coastal crisis, as well as Ken's sincere and active engagement on the Council on your behalf, and we hope that we can continue to develop our partnership with the Environmental Protection Agency into the future.

As a follow up to our meetings, there are two primary areas where we believe your leadership as Chair of the RESTORE Council will be critical for our coastal program. These issues are summarized below. We will follow up with your senior staff on these matters in more detail.

- ***Addressing the Bucket 2 cash flow problem of the annual disbursement of \$91 million over the next 13 years for Gulf-wide ecosystem restoration.*** Louisiana has a scientifically robust action plan to arrest the enormous and rapid degradation of our coastal habitats and water quality. As you know, government agencies cannot procure goods and services without appropriate funding. Louisiana's cornerstone projects are most critical for protecting essential energy infrastructure and restoring nationally important wetland systems, and their estimated costs exceed the \$252-\$350 million allotted through the current three-year planning window for the Funding Priorities List (FPL). If annual funding commitments from multiple future years are combined, Louisiana can proceed with the procurement of construction services for its larger, more critical projects. Addressing this issue will help the Council achieve two of its stated goals from its 2016 Comprehensive Plan Update: (i) funding significantly larger projects that reflect the full amount available to be spent for restoration activities and, (ii) avoiding random acts of restoration. Louisiana's Master Plan integrates exactly the kind of projects the RESTORE Act requires the Council to prioritize: large-scale projects based on the best available science that will contribute significantly to Gulf Coast

ecosystem restoration and are included in a comprehensive state restoration plan. Our Coastal Master Plan projects represent a threefold return on investment in flood damage reduction, funding these projects today instead of 13 years from now would be a smart investment that will pay substantial dividends in the future.

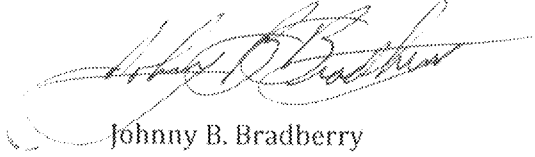
- ***Using the Council membership to establish meaningful regulatory efficiencies for ecosystem restoration projects.*** The federal environmental review and permitting processes often evaluate the impacts of restoration projects using the same approach used for evaluating development projects likely to result in adverse environmental impacts. This means impacts are evaluated against current conditions with a focus on short term impacts, rather than long-term benefits and historic ongoing damages even in cases where existing conditions represent an ongoing degradation of the environment. Additionally, each federal agency has jurisdiction over different natural resources, requiring each agency to view a project through the lens of a specific resource rather than holistically evaluating the net benefits to our trust resources from a federal action on a large-scale ecosystem basis. Finding ways to make this process more efficient would allow us to deliver projects faster and for less money. Under EPA's leadership, the RESTORE Council, which includes all of the relevant regulatory and permitting agencies for ecosystem restoration projects, could serve as a platform for coordinating these efficiencies relative to Gulf Coast restoration.

We hope that you enjoyed your visit with us and that you took away a deeper understanding of our coastal program and our coastal crisis. We also hope that we were able to show you why our program represents such an important investment not only for those who live, work and recreate on Louisiana's coast, but also for our nation. The Council has an enormous opportunity to build a legacy of ecosystem sustainability to support multiple assets of national interest and we are excited to discuss these opportunities in more depth with you going forward.

The State of Louisiana is hosting the January 2019 RESTORE Council meetings scheduled for January 29 and 30 in Baton Rouge. This will be the first meeting of what will be a big year for the RESTORE Council as it moves closer to finalizing its planning framework and selecting projects for funding under the next FPL. In connection with these meetings we are planning a tour of our Center for River Studies, which contains one of the world's largest movable bed physical models which is used by researchers, scientists, and engineers to improve our understanding of the lowermost Mississippi River and to study how it responds to modification. We would be honored to host you at those meetings and show you more about the work our coastal program is doing, should your schedule permit. We look forward to continuing and strengthening our partnership with EPA and to pursuing opportunities for elevating and expediting Gulf Coast ecosystem restoration priorities through the RESTORE Council under your leadership.

Please do not hesitate to reach out to me should you want to discuss these matters in more detail.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Johnny B. Bradberry", with a large, stylized flourish extending to the left.

Johnny B. Bradberry  
Governor's Executive Assistant for Coastal  
Activities and Chairman, CPRA Board

Enclosures

cc: Ryan Jackson  
Kenneth Wagner  
Michael Molina  
Sen. William Cassidy, M.D.  
Sen. John Kennedy  
Rep. Steve Scalise  
Rep. Garret Graves  
Rep. Cedric Richmond  
Michael Ellison  
Chip Kline  
Bren Haase  
Chris Barnes

Message

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**From:** Chancellor, Erin [chancellor.erin@epa.gov]  
**Sent:** 2/19/2019 4:53:19 PM  
**To:** Gattman, Jacob (Kennedy) [Jacob\_Gattman@kennedy.senate.gov]; Lyons, Troy [lyons.troy@epa.gov]  
**CC:** Idsal, Anne [idsal.anne@epa.gov]; Gray, David [gray.david@epa.gov]; Frye, Tony (Robert) [frye.robert@epa.gov]; Smith, Marcie (Kennedy) [Marcie\_Smith@kennedy.senate.gov]; Jackson, Ryan [jackson.ryan@epa.gov]; Starlight, Caroline (Kennedy) [Caroline\_Starlight@kennedy.senate.gov]; Traylor, Patrick [traylor.patrick@epa.gov]  
**Subject:** RE: Information for Sen. Kennedy

Hi Jacob,

Anne is available this week if the Senator would like to set up a call. David Gray, the Region 6 Deputy Regional Administrator, is in Louisiana for the Denka community meeting taking place later this evening.

Thank you,

Erin E. Chancellor  
Chief of Staff | Office of the Regional Administrator  
U.S. EPA Region 6  
214.665.2112 (o) **Ex. 6**  
[chancellor.erin@epa.gov](mailto:chancellor.erin@epa.gov)

---

**From:** Chancellor, Erin  
**Sent:** Friday, February 15, 2019 2:00 PM  
**To:** 'Gattman, Jacob (Kennedy)' <Jacob\_Gattman@kennedy.senate.gov>; Lyons, Troy <lyons.troy@epa.gov>  
**Cc:** Idsal, Anne <idsal.anne@epa.gov>; Gray, David <gray.david@epa.gov>; Frye, Tony (Robert) <frye.robert@epa.gov>; Smith, Marcie (Kennedy) <Marcie\_Smith@kennedy.senate.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Starlight, Caroline (Kennedy) <Caroline\_Starlight@kennedy.senate.gov>  
**Subject:** RE: Information for Sen. Kennedy

Hi Jacob,

Anne is available for the next 30-45 minutes, and then again after ~5pm CST. She will do her best to make herself available when convenient for the Senator, but her service will be a little spotty between 2:30 & 5p CST.

Thank you,

Erin E. Chancellor  
Chief of Staff | Office of the Regional Administrator  
U.S. EPA Region 6  
214.665.2112 (o) **Ex. 6**  
[chancellor.erin@epa.gov](mailto:chancellor.erin@epa.gov)

---

**From:** Gattman, Jacob (Kennedy) <Jacob\_Gattman@kennedy.senate.gov>  
**Sent:** Friday, February 15, 2019 1:52 PM  
**To:** Chancellor, Erin <chancellor.erin@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>  
**Cc:** Idsal, Anne <idsal.anne@epa.gov>; Gray, David <gray.david@epa.gov>; Frye, Tony (Robert) <frye.robert@epa.gov>; Smith, Marcie (Kennedy) <Marcie\_Smith@kennedy.senate.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Starlight, Caroline (Kennedy) <Caroline\_Starlight@kennedy.senate.gov>  
**Subject:** RE: Information for Sen. Kennedy

Erin,

The Senator would like to speak with Anne on her cell when she is able. Like I mentioned earlier, he wants to talk about the Denka Chloroprene plant in St. James Parish, Louisiana. Please let me know when she will be able to take a call from him.

I have cc'd the Senator's scheduler here as well.

Best,  
Jacob

Jacob Gattman  
Legislative Correspondent  
U.S. Senator John Kennedy (R-LA)  
202-228-0733

---

**From:** Chancellor, Erin <[chancellor.erin@epa.gov](mailto:chancellor.erin@epa.gov)>  
**Sent:** Friday, February 15, 2019 2:02 PM  
**To:** Lyons, Troy <[lyons.troy@epa.gov](mailto:lyons.troy@epa.gov)>; Gattman, Jacob (Kennedy) <[Jacob\\_Gattman@kennedy.senate.gov](mailto:Jacob_Gattman@kennedy.senate.gov)>  
**Cc:** Idsal, Anne <[idsal.anne@epa.gov](mailto:idsal.anne@epa.gov)>; Gray, David <[gray.david@epa.gov](mailto:gray.david@epa.gov)>; Frye, Tony (Robert) <[frye.robert@epa.gov](mailto:frye.robert@epa.gov)>; Smith, Marcie (Kennedy) <[Marcie\\_Smith@kennedy.senate.gov](mailto:Marcie_Smith@kennedy.senate.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>  
**Subject:** RE: Information for Sen. Kennedy

Hi Jacob,

As Troy mentioned, Anne is on a flight (seemingly without wifi), but she should be available for a call in a few hours. Alternatively, David Gray, our Deputy Regional Administrator here in the Region, could speak to the Senator if he would like to talk to someone ASAP.

Please let me know if you'd like me to set up a call.

Thanks,

Erin E. Chancellor  
Chief of Staff | Office of the Regional Administrator  
U.S. EPA Region 6  
214.665.2112 (o) Ex. 6  
[chancellor.erin@epa.gov](mailto:chancellor.erin@epa.gov)

---

**From:** Lyons, Troy  
**Sent:** Friday, February 15, 2019 1:00 PM  
**To:** Gattman, Jacob (Kennedy) <[Jacob\\_Gattman@kennedy.senate.gov](mailto:Jacob_Gattman@kennedy.senate.gov)>  
**Cc:** Idsal, Anne <[idsal.anne@epa.gov](mailto:idsal.anne@epa.gov)>; Gray, David <[gray.david@epa.gov](mailto:gray.david@epa.gov)>; Chancellor, Erin <[chancellor.erin@epa.gov](mailto:chancellor.erin@epa.gov)>; Frye, Tony (Robert) <[frye.robert@epa.gov](mailto:frye.robert@epa.gov)>; Marcie Smith <[marcie\\_smith@kennedy.senate.gov](mailto:marcie_smith@kennedy.senate.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>  
**Subject:** Re: Information for Sen. Kennedy

Many thanks, Jacob.

I have copied Anne Idsal, region VI administrator, who would be the best person for the Senator to visit with. She is currently on a plane, but I have copied David Gray (deputy regional administrator) and Erin Chancellor (Chief of staff) who can facilitate a phone call. I have spoken to Erin to let her know that the Senator would like a call today.

Please let us know how we can assist.

Many thanks,

Troy

Sent from my iPhone

On Feb 15, 2019, at 1:46 PM, Gattman, Jacob (Kennedy) <[Jacob\\_Gattman@kennedy.senate.gov](mailto:Jacob_Gattman@kennedy.senate.gov)> wrote:

Hi Troy,

I work with Marcie on Senator Kennedy's EPA portfolio. The Senator would like to speak with someone in Louisiana about the Denka chloroprene plant in St. James parish, LA. Can you connect me with someone in Louisiana who can talk to him about this issue?

Thanks,  
Jacob

Jacob Gattman  
Legislative Correspondent  
U.S. Senator John Kennedy (R-LA)

Message

---

**From:** Gattman, Jacob (Kennedy) [Jacob\_Gattman@kennedy.senate.gov]  
**Sent:** 2/15/2019 7:24:45 PM  
**To:** Chancellor, Erin [chancellor.erin@epa.gov]; Lyons, Troy [lyons.troy@epa.gov]  
**CC:** Idsal, Anne [idsal.anne@epa.gov]; Gray, David [gray.david@epa.gov]; Frye, Tony (Robert) [frye.robert@epa.gov]; Smith, Marcie (Kennedy) [Marcie\_Smith@kennedy.senate.gov]; Jackson, Ryan [jackson.ryan@epa.gov]  
**Subject:** RE: Information for Sen. Kennedy

Thanks Erin,

I have passed this on to our Chief. Either he or I will let you know when we find out what the Senator wants to do.

Best,  
Jacob

Jacob Gattman  
Legislative Correspondent  
U.S. Senator John Kennedy (R-LA)  
202-228-0733

---

**From:** Chancellor, Erin <chancellor.erin@epa.gov>  
**Sent:** Friday, February 15, 2019 2:02 PM  
**To:** Lyons, Troy <lyons.troy@epa.gov>; Gattman, Jacob (Kennedy) <Jacob\_Gattman@kennedy.senate.gov>  
**Cc:** Idsal, Anne <idsal.anne@epa.gov>; Gray, David <gray.david@epa.gov>; Frye, Tony (Robert) <frye.robert@epa.gov>; Smith, Marcie (Kennedy) <Marcie\_Smith@kennedy.senate.gov>; Jackson, Ryan <jackson.ryan@epa.gov>  
**Subject:** RE: Information for Sen. Kennedy

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Please let me know if you'd like me to set up a call.

Thanks,

Erin E. Chancellor  
Chief of Staff | Office of the Regional Administrator  
U.S. EPA Region 6  
214.665.2112 (o) Ex. 6  
[chancellor.erin@epa.gov](mailto:chancellor.erin@epa.gov)

---

**From:** Lyons, Troy  
**Sent:** Friday, February 15, 2019 1:00 PM  
**To:** Gattman, Jacob (Kennedy) <Jacob\_Gattman@kennedy.senate.gov>  
**Cc:** Idsal, Anne <idsal.anne@epa.gov>; Gray, David <gray.david@epa.gov>; Chancellor, Erin <chancellor.erin@epa.gov>; Frye, Tony (Robert) <frye.robert@epa.gov>; Marcie Smith <marcie\_smith@kennedy.senate.gov>; Jackson, Ryan <jackson.ryan@epa.gov>  
**Subject:** Re: Information for Sen. Kennedy

Many thanks, Jacob.

I have copied Anne Idsal, region VI administrator, who would be the best person for the Senator to visit with. She is currently on a plane, but I have copied David Gray (deputy regional administrator) and Erin Chancellor (Chief of staff) who can facilitate a phone call. I have spoken to Erin to let her know that the Senator would like a call today.

Please let us know how we can assist.

Many thanks,

Troy

Sent from my iPhone

On Feb 15, 2019, at 1:46 PM, Gattman, Jacob (Kennedy) <[Jacob\\_Gattman@kennedy.senate.gov](mailto:Jacob_Gattman@kennedy.senate.gov)> wrote:

Hi Troy,

I work with Marcie on Senator Kennedy's EPA portfolio. The Senator would like to speak with someone in Louisiana about the Denka chloroprene plant in St. James parish, LA. Can you connect me with someone in Louisiana who can talk to him about this issue?

Thanks,  
Jacob

Jacob Gattman  
Legislative Correspondent  
U.S. Senator John Kennedy (R-LA)



Message

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**From:** Jackson, Ryan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=38BC8E18791A47D88A279DB2FEC8BD60-JACKSON, RY]  
**Sent:** 11/1/2017 3:55:30 PM  
**To:** Jackson, Ryan [jackson.ryan@epa.gov]  
**CC:** Lyons, Troy [lyons.troy@epa.gov]  
**BCC:** David\_clearly@alexander.senate.gov; dan\_kunsmann@barrasso.senate.gov; dean\_myers@burr.senate.gov; Joel\_Brubaker@capito.senate.gov; james\_quinn@cassidy.senate.gov; brad\_white@cochran.senate.gov; steve\_abbott@collins.senate.gov; womack@corker.senate.gov; beth\_jafari@cornyn.senate.gov; doug\_coutts@cotton.senate.gov; susan\_wheeler@crapo.senate.gov; David\_Polyansky@cruz.senate.gov; jason\_thielman@daines.senate.gov; Tara\_Shaw@enzi.senate.gov; lisa\_goeas@ernst.senate.gov; joe\_hack@fischer.senate.gov; chandler\_morse@flake.senate.gov; natalie\_rogers@gardner.senate.gov; richard\_perry@lgraham.senate.gov; jill\_kozeny@grassley.senate.gov; Mac\_abrams@heller.senate.gov; ryan\_bernstein@hoeven.senate.gov; joan\_kirchner@isakson.senate.gov; tony\_blando@ronjohnson.senate.gov; preston\_robinson@kennedy.senate.gov; greg\_slavonic@lankford.senate.gov; allyson\_bell@lee.senate.gov; pablo\_carrillo@mccain.senate.gov; todd\_novascone@moran.senate.gov; Michael\_Pawlowski@murkowski.senate.gov; william\_henderson@paul.senate.gov; derrick\_dickey@perdue.senate.gov; mark\_isakowitz@portman.senate.gov; john\_sandy@risch.senate.gov; jackie\_cottrell@roberts.senate.gov; Rob\_Skjonsberg@rounds.senate.gov; clint\_reed@rubio.senate.gov; Derrick\_Morgan@sasse.senate.gov; jennifer\_decasper@scott.senate.gov; Katie\_Britt@shelby.senate.gov; joe\_balash@sullivan.senate.gov; ryan\_nelson@thune.senate.gov; Daniel\_Brandt@toomey.senate.gov; michelle\_barlow@wicker.senate.gov; john\_connell@young.senate.gov; ted\_lehman@tillis.senate.gov  
**Subject:** EPA  
**Attachments:** 2017-10-27 EPA Nominee Dr. Michael Dourson.docx

All, Troy and I wanted to reach out to offices just to help provide any additional information concerning EPA's nominees. At this point we are aware that you may have been contacted by a concerted effort questioning Dr. Mike Dourson's nomination to head EPA's Office of Chemical Safety and Pollution Prevention which evaluates chemicals and pesticides and permits their use.

Attached is a one pager on Dr. Dourson's background for your boss and staff. We are, as always, glad to provide additional information or answer specific questions on any nominee, their background, previous work, and what information would be helpful. As always, we would welcome meetings with the nominees if your boss' would like that too.

Feel free to reach me anytime at Ex. 6 or Ex. 6

Thanks

Ryan Jackson  
Chief of Staff  
U.S. Environmental Protection Agency

Ex. 6

## Dr. Michael Dourson, Nominee for Head of EPA Office of Chemical Safety and Pollution Prevention

- ✓ Dr. Michael Dourson is toxicologist with certification from the American Board of Toxicology. He is also a Fellow for the Academy of Toxicological Sciences and the Society for Risk Analysis.
- ✓ During his time at EPA, he was one of the founders of EPA's Integrated Risk Information System (IRIS), a program that identifies and characterizes the health hazards of chemicals found in the environment.
- ✓ EPA awarded Dr. Michael Dourson four bronze medals for work on EPA's IRIS, ambient water criteria, sewage sludge rulemaking, and risk methods throughout his 15-year tenure at the Agency. He also received the Society of Toxicology's Lehman award for risk assessment, the International Society of Regulatory Toxicology and Pharmacology International Achievement Award for risk sciences, and an Environmental Stewardship award from the State of West Virginia, among many others.
- ✓ He served as a member of EPA's Science Advisory Board for six years, and had held leadership roles at the following organizations:
  - ✓ American Board of Toxicology: president
  - ✓ Society of Toxicology: president of three specialty sections (risk, mixtures and regulatory, and safety evaluation)
  - ✓ Society for Risk Analysis: secretary and chair of the Dose Response Specialty Group
  - ✓ Toxicology Education Foundation: president

**Myth:** EPA's nominee to oversee chemical safety at the EPA, has for years, accepted payments for criticizing studies that raised concerns about the safety of his clients' products.

- ✓ **Reality:** The nonprofit risk organization that Dr. Michael Dourson founded, Toxicology Excellence for Risk Assessment - TERA, has spent 1/3 of its time working with industry sponsors and 2/3 of its time working with government sponsors. Sixty-seven percent of Dr. Dourson's peer reviewed publications was sponsored by government or self-sponsored.

**Myth:** TERA research has been underwritten by industry trade and lobbying groups.

- ✓ **Reality:** TERA, an independent non-profit organization, does work to protect human health by conducting scientific research and development on risk issues in a transparent and collaborative fashion. TERA's multiple websites include numerous projects and information that demonstrate this transparent and/or collaborative work. An additional ten to twenty percent of TERA's effort is pro bono.

**Myth:** Dr. Michael Dourson is an industry scientist.

- ✓ **Reality:** After working at EPA for 15 years where he won four bronze medals and helped establish the IRIS program to identify and characterize chemical risks, he founded TERA in 1995 as a nonprofit corporation. TERA later applied for and received a 501 c3. Its mission is to support the protection of public health by developing, reviewing and communicating risk assessment values and analyses; improving risk methods through research; and, educating risk assessors, managers, and the public on risk assessment issues.
- ✓ In fact, Dr. Dourson provided scientific expertise on three different occasions for plaintiffs suing industry about the devastating health effects that could occur from exposures to TCE, hydrogen sulfide and pesticides. An example can be found here.

## Dr. Michael Dourson, Nominee for Head of EPA Office of Chemical Safety and Pollution Prevention

**Myth:** TERA develops positions that support the positions of those that sponsor their work.

- ✓ **Reality:** TERA has on numerous occasions develop risk positions that did not favor a particular sponsor and/or was the same or lower than the safe level set by governments at the time. TERA's conclusions are based on the best available science at the time of its analysis.
- **MCHM:** Dr. Dourson lead a panel of experts from two states and two countries, which recommended the level of MCHM (the chemical in the recent West Virginia Elk river spill) to be 8-fold more protective than the level set by the Centers for Disease Control and Prevention (CDC).
- **1-Bromopropane:** TERA developed a lower safety level than EPA's safety level in 2004.
- **Perchlorate:** Because of TERA's work, the safe level for perchlorate became 500X lower than the original industry value. TERA's work, which was subsequently and independently published in a peer reviewed journal, resulted in millions of dollars in additional research spent on perchlorate studies.
- **1-4 Dioxane:** TERA, in collaboration with five states, Japan and the National Toxicology Program (NTP), developed new science to evaluate the safety level. This science is currently being used by Health Canada.
- **PFOA:** At the request of the State of West Virginia, TERA served on a panel of 10 experts, including EPA, ATSDR and WVA, to set the safety level of PFOA. As a result of the work, TERA received an environmental stewardship award from the State.
- **TCE:** TERA helped build a coalition of government and scientific experts to develop a safety range using EPA's methods which is currently being considered by several states for assessing TCE contamination issues.
- **Chlorpyrifos:** TERA's research in 2006 confirmed the safety levels set by international bodies, including the World Health Organization (WHO).

### Additional Information:

- ✓ National Institutes of Health (NIH), International Toxicity Estimates for Risk (ITER): <https://toxnet.nlm.nih.gov/newtoxnet/iter.htm>
- ✓ University of Cincinnati Risk Science Center: <https://med.uc.edu/eh/centers/rsc>
- ✓ Alliance for Risk Assessment: <https://med.uc.edu/eh/centers/rsc/risk-resources/ara>
- ✓ Occupational Alliance for Risk Science: <https://med.uc.edu/eh/centers/rsc/risk-resources/oars>

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Message

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**From:** Shimmin, Kaitlyn [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BECB3F33F9A14ACD8112D898CC7853C6-SHIMMIN, KA]  
**Sent:** 8/7/2017 3:16:04 PM  
**To:** chris\_gillott@cassidy.senate.gov; chris\_stanley@kenedy.senate.gov; john.seale@mail.house.gov; peter.hunter@mail.house.gov; ward.cormier@mail.house.gov; joshua.hodges@mail.house.gov; ted.verrill@mail.house.gov; ian.bennitt@mail.house.gov  
**CC:** Troy Lyons (lyons.troy@epa.gov) [lyons.troy@epa.gov]; Aaron Ringel (ringel.aaron@epa.gov) [ringel.aaron@epa.gov]; Palich, Christian [palich.christian@epa.gov]; Konkus, John [konkus.john@epa.gov]  
**Subject:** EPA Grant Award

I am writing to inform you that the following US EPA grant from your state/district has been signed:

***\$11299000 Louisiana Department of Health LDH Drinking Water RLF Capitalization Grant FY17***

This award provides federal funds to the State of Louisiana for loan assistance to eligible public water systems for infrastructure improvements needed to ensure safe drinking water and to provide funds for the following activities: Administration, Small Systems Technical Assistance, Local Assistance and State Programs Management.

Grant No: 99696820-0

**Kaitlyn Shimmin**

*Special Assistant Congressional and Intergovernmental Affairs*

*Office of the Administrator*

U.S. Environmental Protection Agency

1200 Pennsylvania Ave., N.W.

Washington, D.C. 20460

O: (202) 564-4108

**Ex. 6**

[Shimmin.Kaitlyn@epa.gov](mailto:Shimmin.Kaitlyn@epa.gov)

Message

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**From:** Shimmin, Kaitlyn [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BECB3F33F9A14ACD8112D898CC7853C6-SHIMMIN, KA]  
**Sent:** 10/23/2017 10:49:20 PM  
**To:** Smith, Marcie (Kennedy) [Marcie\_Smith@kennedy.senate.gov]  
**Subject:** Re: Hi from the Senate!

Hi Marcie! I'll make sure to get you on the lists. Hope to see you soon!

Sent from my iPhone

On Oct 19, 2017, at 11:27 AM, Smith, Marcie (Kennedy) <[Marcie\\_Smith@kennedy.senate.gov](mailto:Marcie_Smith@kennedy.senate.gov)> wrote:

Kaitlyn,

As promised, here is my new email address from Senator Kennedy's office. I look forward to working with you in my new role. Please add me to any email lists you guys put out that would be helpful in my job. Hopefully we will see each other around town soon!

Marcie

Marcie Smith | Legislative Assistant  
U.S. Senator John Kennedy (R-LA)  
383 Russell Senate Office Building | Washington, DC, 20510  
202-224-4623

Message

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**From:** Shimmin, Kaitlyn [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BECB3F33F9A14ACD8112D898CC7853C6-SHIMMIN, KA]  
**Sent:** 6/22/2017 5:22:18 PM  
**To:** chris\_gillott@cassidy.senate.gov; chris\_stanley@kennedy.senate.gov; ted.verrill@mail.house.gov  
**CC:** Troy Lyons (lyons.troy@epa.gov) [lyons.troy@epa.gov]; Aaron Ringel (ringel.aaron@epa.gov) [ringel.aaron@epa.gov]; Konkus, John [konkus.john@epa.gov]; Palich, Christian [palich.christian@epa.gov]  
**Subject:** EPA Grant Award

I am writing to inform you that the following US EPA grant from your state/district has been signed:

***\$87,500 Jena Band of Choctaw Indians- Jena Band of Choctaw Indians GAP FY17-18***

The objectives of this project are to develop the capability to manage specific programs and establish a core program for environmental protection. The specific project activities include expanding and enhancing environmental reform, management of the environmental office, and development of an air quality management program.

Grant No: 01F13101-1

**Kaitlyn Shimmin**

*Special Assistant Congressional and Intergovernmental Affairs*  
*Office of the Administrator*  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., N.W.  
Washington, D.C. 20460  
O: (202) 564-4108

**Ex. 6**

[Shimmin.Kaitlyn@epa.gov](mailto:Shimmin.Kaitlyn@epa.gov)

Message

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**From:** Shimmin, Kaitlyn [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BECB3F33F9A14ACD8112D898CC7853C6-SHIMMIN, KA]  
**Sent:** 6/12/2017 8:47:27 PM  
**To:** chris\_gillott@cassidy.senate.gov; chris\_stanley@kennedy.senate.gov; john.seale@mail.house.gov; peter.hunter@mail.house.gov; ward.cormier@mail.house.gov; joshua.hodges@mail.house.gov; ted.verrill@mail.house.gov; ian.bennitt@mail.house.gov  
**CC:** Troy Lyons (lyons.troy@epa.gov) [lyons.troy@epa.gov]; Aaron Ringel (ringel.aaron@epa.gov) [ringel.aaron@epa.gov]; Konkus, John [konkus.john@epa.gov]; Palich, Christian [palich.christian@epa.gov]  
**Subject:** EPA Grant Award

I am writing to inform you that the following US EPA grant from your state/district has been signed:

***\$100640 Louisiana Department of Environmental Quality- FY18 TSCA OECA AHERA Compliance Monitoring***

The program is to reduce public exposure to asbestos hazards in schools through compliance monitoring and public outreach.

Grant #: 01F34401-0

**Kaitlyn Shimmin**

*Special Assistant Congressional and Intergovernmental Affairs*

*Office of the Administrator*

U.S. Environmental Protection Agency

1200 Pennsylvania Ave., N.W.

Washington, D.C. 20460

O: (202) 564-4108

**Ex. 6**

[Shimmin.Kaitlyn@epa.gov](mailto:Shimmin.Kaitlyn@epa.gov)



Message

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**From:** Shimmin, Kaitlyn [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BECB3F33F9A14ACD8112D898CC7853C6-SHIMMIN, KA]  
**Sent:** 6/5/2017 9:58:08 PM  
**To:** chris\_gillott@cassidy.senate.gov; chris\_stanley@kennedy.senate.gov; john.seale@mail.house.gov; peter.hunter@mail.house.gov; ward.cormier@mail.house.gov; ted.verrill@mail.house.gov  
**CC:** Troy Lyons (lyons.troy@epa.gov) [lyons.troy@epa.gov]; Aaron Ringel (ringel.aaron@epa.gov) [ringel.aaron@epa.gov]; Konkus, John [konkus.john@epa.gov]; Palich, Christian [palich.christian@epa.gov]  
**Subject:** EPA Grant Award

I am writing to inform you that the following US EPA grant has been signed for your state/ district:

**Assessment Grants**

\$150,000 for hazardous substances

\$150,000 for petroleum

EPA has selected the Regional Planning Commission for two brownfields assessment grants. Community-wide hazardous substances and petroleum grant funds will be used to conduct six Phase I and four Phase II environmental site assessments, and prepare four cleanup plans. Grant funds also will be used to support community outreach activities. Assessments will focus on properties along the Inner Harbor Navigation Canal in the City of New Orleans.

**Assessment Grants**

\$100,000 for hazardous substances

\$200,000 for petroleum

EPA has selected the Acadiana Planning Commission for two brownfields assessment grants. Community-wide hazardous substances and petroleum grant funds will be used to conduct 20 Phase I and 10 Phase II environmental site assessments, build and maintain an inventory of brownfields, and produce cost estimates for cleanup plans. Grant funds also will be used to support community outreach activities. Assessment activities will focus on the Four Corners Neighborhood of Lafayette.

**Assessment Grants**

\$150,000 for hazardous substances

\$150,000 for petroleum

EPA has selected the City of Bastrop for two brownfields assessment grants. Community-wide hazardous substances grant funds will be used to prioritize brownfield sites, conduct 10 Phase I and three Phase II environmental site assessments, and prepare a cleanup plan and cleanup cost estimate. Community-wide petroleum grant funds will be used to conduct the same tasks at sites with potential petroleum contamination. Grant funds of both types also will be used to support community outreach activities.

**Kaitlyn Shimmin**

*Special Assistant Congressional and Intergovernmental Affairs*

*Office of the Administrator*

U.S. Environmental Protection Agency

1200 Pennsylvania Ave., N.W.

Washington, D.C. 20460

O: (202) 564-4108

**Ex. 6**

Shimmin.Kaitlyn@epa.gov

Message

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**From:** Lyons, Troy [lyons.troy@epa.gov]  
**Sent:** 5/22/2018 4:57:33 PM  
**To:** Schindler, Blake (Cassidy) [Blake\_Schindler@cassidy.senate.gov]; Gabrielle.Basile@dot.gov; Ford, Hayley [ford.hayley@epa.gov]  
**CC:** Smith, Marcie (Kennedy) [Marcie\_Smith@kennedy.senate.gov]; Heidi.king@dot.gov; sean.mcmaster@dot.gov; megan.caldwell@dot.gov; Haman, Patricia [Haman.Patricia@epa.gov]; jeff.rosen@dot.gov; Wheeler, Andrew [wheeler.andrew@epa.gov]; Jackson, Ryan [jackson.ryan@epa.gov]; Geoff.burr@dot.gov  
**Subject:** RE: Senate Letter to Secretary Chao and Administrator Pruitt

Many thanks, Blake.

---

**From:** Schindler, Blake (Cassidy) [mailto:Blake\_Schindler@cassidy.senate.gov]  
**Sent:** Tuesday, May 22, 2018 10:15 AM  
**To:** Gabrielle.Basile@dot.gov; Ford, Hayley <ford.hayley@epa.gov>  
**Cc:** Smith, Marcie (Kennedy) <Marcie\_Smith@kennedy.senate.gov>; Heidi.king@dot.gov; sean.mcmaster@dot.gov; megan.caldwell@dot.gov; Lyons, Troy <lyons.troy@epa.gov>; Haman, Patricia <Haman.Patricia@epa.gov>; jeff.rosen@dot.gov; Wheeler, Andrew <wheeler.andrew@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Geoff.burr@dot.gov  
**Subject:** Senate Letter to Secretary Chao and Administrator Pruitt  
**Importance:** High

Good morning –

Attached is a letter from Senators Cassidy and Kennedy regarding retention of the Mobile Air Conditioning refrigerant credit option as part of any changes to CAFE and motor vehicle emission standards. Should you have any questions, please don't hesitate to reach out.

Thank you.

Blake Schindler  
Sen. Bill Cassidy (R-LA)  
520 Hart Senate Office Building  
Washington, DC 20510  
Office: (202) 224-5824

Message

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**From:** Haman, Patricia [Haman.Patricia@epa.gov]  
**Sent:** 5/22/2018 2:54:54 PM  
**To:** Schindler, Blake (Cassidy) [Blake\_Schindler@cassidy.senate.gov]; Gabrielle.Basile@dot.gov; Ford, Hayley [ford.hayley@epa.gov]  
**CC:** Smith, Marcie (Kennedy) [Marcie\_Smith@kennedy.senate.gov]; Heidi.king@dot.gov; sean.mcmaster@dot.gov; megan.caldwell@dot.gov; Lyons, Troy [lyons.troy@epa.gov]; jeff.rosen@dot.gov; Wheeler, Andrew [wheeler.andrew@epa.gov]; Jackson, Ryan [jackson.ryan@epa.gov]; Geoff.burr@dot.gov  
**Subject:** RE: Senate Letter to Secretary Chao and Administrator Pruitt

Thank you.

Patricia E. Haman  
Office of Congressional Affairs  
U.S. EPA  
202-564-2806

---

**From:** Schindler, Blake (Cassidy) [mailto:Blake\_Schindler@cassidy.senate.gov]  
**Sent:** Tuesday, May 22, 2018 10:15 AM  
**To:** Gabrielle.Basile@dot.gov; Ford, Hayley <ford.hayley@epa.gov>  
**Cc:** Smith, Marcie (Kennedy) <Marcie\_Smith@kennedy.senate.gov>; Heidi.king@dot.gov; sean.mcmaster@dot.gov; megan.caldwell@dot.gov; Lyons, Troy <lyons.troy@epa.gov>; Haman, Patricia <Haman.Patricia@epa.gov>; jeff.rosen@dot.gov; Wheeler, Andrew <wheeler.andrew@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Geoff.burr@dot.gov  
**Subject:** Senate Letter to Secretary Chao and Administrator Pruitt  
**Importance:** High

Good morning –

Attached is a letter from Senators Cassidy and Kennedy regarding retention of the Mobile Air Conditioning refrigerant credit option as part of any changes to CAFE and motor vehicle emission standards. Should you have any questions, please don't hesitate to reach out.

Thank you.

Blake Schindler  
Sen. Bill Cassidy (R-LA)  
520 Hart Senate Office Building  
Washington, DC 20510  
Office: (202) 224-5824

Message

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**From:** Schindler, Blake (Cassidy) [Blake\_Schindler@cassidy.senate.gov]  
**Sent:** 5/22/2018 2:15:18 PM  
**To:** Gabrielle.Basile@dot.gov; Ford, Hayley [ford.hayley@epa.gov]  
**CC:** Smith, Marcie (Kennedy) [Marcie\_Smith@kennedy.senate.gov]; Heidi.king@dot.gov; sean.mcmaster@dot.gov; megan.caldwell@dot.gov; Lyons, Troy [lyons.troy@epa.gov]; Haman, Patricia [Haman.Patricia@epa.gov]; jeff.rosen@dot.gov; Wheeler, Andrew [wheeler.andrew@epa.gov]; Jackson, Ryan [jackson.ryan@epa.gov]; Geoff.burr@dot.gov  
**Subject:** Senate Letter to Secretary Chao and Administrator Pruitt  
**Attachments:** 05.22.18 MAC Credit Letter to Sec Chao and Admin Pruitt.pdf  
  
**Importance:** High

Good morning –

Attached is a letter from Senators Cassidy and Kennedy regarding retention of the Mobile Air Conditioning refrigerant credit option as part of any changes to CAFE and motor vehicle emission standards. Should you have any questions, please don't hesitate to reach out.

Thank you.

Blake Schindler  
Sen. Bill Cassidy (R-LA)  
520 Hart Senate Office Building  
Washington, DC 20510  
Office: (202) 224-5824

# United States Senate

WASHINGTON, DC 20510

May 22, 2018

The Honorable Elaine Chao  
Secretary  
U.S. Department of Transportation  
1200 New Jersey Avenue, Southeast  
Washington, DC 20590

The Honorable Scott Pruitt  
Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, Northwest  
Washington, DC 20460

Dear Secretary Chao and Administrator Pruitt:

As the Department of Transportation and Environmental Protection Agency consider changes to the Corporate Average Fuel Economy (CAFE) and motor vehicle emissions standards, we urge you to maintain the Mobile Air Conditioning (MAC) refrigerant credit option. The MAC credits in the EPA's auto emission standards program support U.S. industry investment in next-generation technology, as well as contribute to growth in U.S. jobs, the domestic economy, and U.S. exports.

According to U.S. manufacturers, the availability of MAC credits in the EPA program has resulted in an alternative refrigerant option that was innovated, patented and manufactured in the United States and led to the construction of two new world-scale manufacturing plants to meet domestic and global demand.

The U.S. patents for next-generation mobile air conditioning technology represent a strategic decision by U.S. industry to invest and innovate in America. The technology costs a total of approximately \$33 per car to implement and yields an equivalent of 1 mile per gallon (mpg) credit—the lowest cost for 1 mpg credit available among the suite of technology options eligible for credits. As a result, American automakers are able to produce vehicles that the U.S. wants thanks to the fleet mix flexibility afforded by the credit.

In addition to supporting the U.S. economy and having a low cost for consumers, the EPA MAC credits also serve as a trade lever to fight foreign competitors. Currently, Chinese industry is leveraging its advantaged natural resources and low labor costs to benefit from continued usage of the incumbent refrigerant, HFC-134a. This is because the Chinese are not currently as well-positioned as the U.S. to support the transition to next-generation refrigerant alternatives. Prior to EPA's rule, Chinese refrigerant comprised two-thirds of the total auto air-conditioning market. Thanks to the two new U.S. production plants built, our country is re-establishing a leadership position in the automotive refrigerant market.

Without the MAC credit, automakers could be dis-incentivized to make conversions, leading to an underutilization of these new plants, risk to U.S. investment, and threat to our country's position in the global market.

Thank you for your consideration. Please do not hesitate to reach out if we can be of further assistance.

Sincerely,

*Bill Cassidy, M.D.*

Bill Cassidy M.D.  
United States Senator

*John Kennedy*

John Kennedy  
United States Senator

cc: Jeffrey Rosen, Deputy Secretary, Department of Transportation  
Heidi King, Acting Administrator, National Highway Traffic Safety Administration  
Bill Wehrum, Assistant Administrator, EPA Office of Air and Radiation